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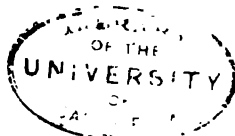
**PUBLICATIONS
OF THE
NORTH CAROLINA HISTORICAL COMMISSION**

**The
Beginnings of Public Education
in North Carolina**

**A DOCUMENTARY HISTORY
1790-1840**

**BY
CHARLES L. COON**

VOLUME I



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THE NORTH CAROLINA HISTORICAL COMMISSION

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THE BEGINNINGS OF PUBLIC EDUCATION, 1790-1840.

One of the most interesting chapters in North Carolina history is the fifty years' agitation which preceded the enactment of the first public school law. These two volumes are the result of a desire to put the story of that agitation and the educational ideals of the people of that day in convenient form for the use of students of our social and economic history. Introductory note

Much of the material herein brought together has never before been published, or, if published, has remained inaccessible to all except a very few. This material is practically complete. The documents are printed as they were written, mistakes and all. Whenever a paper could not be found, there is a note telling as much.

In the summary which follows, I have tried to put in concise form what I conceive to be the meaning and the substance of the documents. It is my hope that this summary may not prove wholly uninteresting to the general reader, and that it may call the attention of students to the importance of this phase of North Carolina history.

I. Educational and Economic Conditions.

In 1790, North Carolina was the third State of the Union in population, having at that time a total population of 393,751, of which 73.2 per cent was white. In 1840, the State had fallen to seventh in population, having then a population of 753,419, of which 64.4 per cent was white. In 1790, the total expenses of the State government were only \$41,480, and \$24,000 of that sum was the cost of the legislature. As late as 1835, the actual expenses of the State government were a little less than \$87,000 and the legislature cost \$40,000. Governor Swain,¹ in his message to the legislature of 1833, said that "the apathy which has pervaded the legislation of half a cen-

Population 1790 and 1840; expenses of State government.
Narrow bounds of legislation.

¹ P. 652.

Educational conditions in 1836.

An excuse for these conditions.

A prophecy as to what historians will say of the legislation of this period.

North Carolina three centuries behind in education and other improvements; causes stated by President Caldwell

tury is most strikingly exhibited by the fact that the mere expenses of the General Assembly have ordinarily exceeded the aggregate expenditures of all other departments of the government, united to the appropriations which have been made, for the purpose of Internal Improvement"; and added, "that government can not be wisely administered, where those who direct the expenditure of the public treasure, receive more for this service than the amount of their disbursements." Two years later he lamented the fact that there was then but one college in the State, but few respectable academies, and that there was no adequate provision "to diffuse even the elementary principles of education among the poor"; also that there was then not a single work of internal improvement in progress. The amiable governor excused this dark picture somewhat by saying that the legislation of the general government had always been unfavorable to North Carolina, especially mentioning the land laws and the tariff.¹ But he could not conclude his last message to the General Assembly without telling it again that it spent too much on itself and without adding a paragraph² declaring that "the history of our State Legislation during the first half century of our political existence, will exhibit little more to posterity than the annual imposition of taxes amounting to less than a hundred thousand dollars, one-half of which constituted the reward of the legislative bodies by which they were levied, while the remainder was applied to sustain the train of officers who superintend the machinery of government. The establishment of schools for the convenient instruction of youth, and the development and improvement of our internal resources by means beyond the reach of individual enterprise, will seem scarcely to have been regarded as proper objects of legislative concern."

In 1829, Dr. Joseph Caldwell, in his address³ to the Internal Improvement Convention at Raleigh, declared

¹ P. 713.

² P. 714.

³ P. 434.

that North Carolina was three centuries behind in public improvements and education, and attributed this condition largely to the widespread and fatal delusion that taxation for such purposes was considered contrary to a republican form of government. There can be no doubt that the dominant sentiment made it well-nigh impossible, during this period, to carry through legislation on any subject not connected with the bare preservation of life, liberty, and property. This individualistic policy which paralyzed all efforts to establish schools and begin a comprehensive system of internal improvements seems to have been the outgrowth of sparse population and what Dr. Caldwell called the fatal delusion that taxation was contrary to a republican form of government. But whatever the cause of it, the people of eastern North Carolina were unacquainted with those of the west. Unfortunate sectional jealousies were kept alive by lack of the means of communication between the sections, while commerce and trade languished and the masses of the people remained poor and ignorant, ready to oppose internal improvements and State aid to education as leading to aristocracy and taking the position that plain farmers and mechanics needed no education.¹

These documents give, in many places, glimpses of the actual educational condition of the masses of the people. Illiteracy; some general and particular statements. As early as 1810, Jeremiah Battle wrote that not more than one-third of the women in Edgecombe County could write their names.² In 1823, the *Western Carolinian* declared that the people at large were deplorably deficient in the rudiments of education.³ In 1824, an Edgecombe correspondent of the *Raleigh Register* speaks of the lack of knowledge among the country people.⁴ The next year, a Lincolnton writer,⁵ in the *Western Carolinian*, says that "the dullness and incapacity which is permitted to enter our legislative hall, and disgrace us even in the national representation, and our former tame subserviency to the

¹ P. 431. ² P. 70. ³ P. 215. ⁴ P. 244. ⁵ P. 252.

interests of another State, evince most unequivocally the mental debasement of a large portion of our population."

Governor Owen on educational and economic conditions.

In 1830, Governor Owen said that we were behind other States and that our so-called policy of economy had kept the poor in ignorance and the State in poverty.¹ The same view of the situation was expressed by Upton in the *Fayetteville Observer*, when he said that our penny-saving legislators

President Caldwell on our social conditions.

had doomed the people to ignorance.² In 1832, Dr. Joseph Caldwell, in his letters on popular education, said that the people had long resisted any change in routine legislation; that there was great aversion to taxation beyond the mere necessities of the government; that the people lacked commercial opportunities; that money was scarce and the markets of the world were far away; that a large part of the people looked with indifference upon education, while many boasted of their ignorance of letters.³ In comparison with other occupations, teaching was regarded with contempt.⁴

Teaching held in contempt; Caldwell's description of the North Carolina schoolmaster.

The same authority described the North Carolina schoolmaster by saying: "Is a man constitutionally and habitually indolent, a burden upon all from whom he can extract a support? Then there is one way of shaking him off, let us make him a schoolmaster. To teach a school is, in the opinion of many, little else than sitting still and doing nothing. Has any man wasted all his property, or ended in debt by indiscretion and misconduct? The business of school keeping stands wide open for his reception, and here he sinks to the bottom, for want of capacity to support himself. Has any one ruined himself, and done all he could to corrupt others, by dissipation, drinking, seduction, and a course of irregularities? Nay, has he returned from a prison after an ignominious atonement for some violation of the laws? He is destitute of character and can not be trusted, but presently he opens a school and the children are seen flocking into it, for if he is willing to act in that capacity, we shall all admit that as he can read

¹ P. 458.

² P. 356.

³ P. 545.

⁴ P. 560.

and write, and cypher to the square root, he will make an excellent school master." And again, he says that "in our present mode of popular education, we act upon the principle that school-keeping is a business to which scarcely any one but an idiot is incompetent, if he only knows reading, writing and arithmetic. If in almost every vicinage there happens to be one or a few who have more correct opinions, the numbers who think otherwise carry it over their heads, and our primary schools are kept sunk down to the lowest point of degradation, and education is disgraced by our own misconceptions and mismanagements."

Scarcely any one, except an idiot, not incompetent to teach.

In 1826, Governor Burton said that primary education was more difficult to obtain than in 1776, and he lamented the fact that the legislature had, for forty-nine years, neglected to aid the establishment of primary schools, as required by the Constitution.¹ The next year he said that sectional jealousies have palsied the energies of the State and rendered every system of improvement abortive.² In 1833, the Legislative Joint Select Committee on Internal Improvements³ said that no class of our citizens were prosperous; that the thrift displayed by the citizens of other States was not visible in our borders; that improvement in agriculture and mechanic arts was not even attempted; that intellectual advancement was retarded by poverty and listlessness; that there were no good markets of easy access; and that a comprehensive system of internal improvements appeared the only means at hand to unite all sections and to improve educational and economic conditions. During the same year, the citizens of the town of Halifax drew up a memorial⁴ to the legislature in which they said that the State was in a retrograding position and that our people were forced to seek homes elsewhere, because "sufficient importance in intellectual, and physical improvements, has not been felt by the State generally."

Gov. Burton on the difficulty of obtaining primary education: legislative committee on economic conditions in 1833.

Halifax citizens give causes of emigration.

¹ P. 294. ² P. 362. ³ P. 615. ⁴ P. 619.

Further statement
of economic con-
ditions in 1833.

These citizens also said that prosperity and intelligence could only be aided by a system of internal improvements and public education. Of the same tenor was the report¹ of another legislative committee of 1833, to whom was referred "sundry documents and schemes relating to the Internal Improvements of this State." This committee said that nine-tenths of our farming lands were then for sale and referred to the laggard policy of North Carolina in delaying for thirty years any general system of improvements. This report also referred to the prejudice then existing against railroads and said that people were daily leaving the State to go where they would have better opportunities to reap the fruits of their labor.

North Carolina said
to be a century be-
hind in education.

"Old Field," a correspondent of the *Raleigh Register* during 1833, grimly observed that he thought "the people will have to learn to *spell* internal improvements before they can comprehend the meaning of that term." And he added that North Carolina was then a century behind other States in education and all other subjects of importance, caustically referring to the policy of borrowing the small Literary Fund each year, with which to pay the members of the legislature.²

Disturbing in-
fluence of conven-
tion question.

The convention question was long a disturbing factor in the life of the State. After it had been settled, in 1834, that a convention would be called to amend the constitution, the *Raleigh Star* said that this question had "long proved a bone of contention in the councils of the State, to the exclusion of calm deliberation on everything else."³ On the eve of the assembling of this convention, a *Raleigh Standard* correspondent, who signed himself "D," suggested that the new constitution should contain a provision regarding public schools, and argued that the lack of schools was daily draining the State of wealth and population. This article resulted in a declaration on the part of the *Standard*, oft repeated, in favor of "the universal

Proposal to make
school establish-
ment a feature of
new constitution.

¹ P. 631. ² P. 670. ³ P. 707.

diffusion of the blessings of education."¹ But no change was made in the educational clause of the constitution of 1776, nor was the question considered by the convention of 1835.

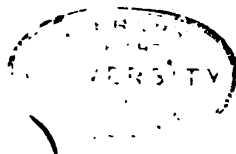
From 1835 to 1840, conditions do not seem to have improved to any great extent. In a memorial² to the legislature of 1836-7, the citizens of Fayetteville represented that they had year after year witnessed "with pain and mortification the depressed condition which each section of our State presents." The memorial also spoke of the "discontent, decay and ruin" manifest throughout the State, and of the "illiberal and contracted policy to force our people" to "go forth and seek other lands." In his inaugural address,³ in 1837, Governor Dudley said that North Carolina was "actually least in the scale of relative wealth and enterprise"; that her "lands [were] depressed in price, fallow and deserted"; that her "manufacturing advantages [were] unimproved," her "stores of mineral wealth undisturbed"; and that her "colleges and schools [were] languishing from neglect."

Fayetteville citizens and Gov. Dudley on economic and educational conditions 1837.

In 1838, Rev. A. J. Leavenworth,⁴ a Charlotte Presbyterian clergyman, estimated that "we have probably 120 thousand children between the ages of 5 and 15 years, who are destitute of a common school education." He further said that "in some parts of the State, many large families are found, not one of whom, parents or children, can read their alphabet; and in others, whole neighborhoods of forty and fifty families exist, among whom but few individuals can read their Bible." In his report⁵ on education to the legislature of 1838, Wm. W. Cherry said that "those who have mixed much with the people of our State know that there is an average of nearly half of every family in the State, who have recd no education and who are as yet unprovided with the means of Learning even to read and write." And the *Western Carolinian*⁶ remarked about the

Illiteracy in 1838.

¹ P. 710. ² P. 795. ³ P. 803. ⁴ P. 813. ⁵ P. 862. ⁶ P. 816.



same time upon "the prejudice entertained by some to have their children educated in a 'free school,' preferring them to remain in ignorance rather than have them educated at the public expense."

Why so little was done.

But why was so little done, by the legislature during all these years, to remedy the educational condition of the State? In 1834, an assembly resolution¹ to inquire into the "present facilities for instruction possessed by the people of North Carolina" failed of consideration. And the *Raleigh Star*,² about the same time, naively inquired: "Can it be presumed for a moment that the Legislature would have so long indulged in a profound and listless apathy on the subject of popular education, if it had been sensible of the number living in ignorance and dying in darkness?" Possibly the remark of the *Western Carolinian* ten years earlier touched the question more nearly when it said that the people complained much of taxes and would not approve the establishment of schools by that means, and expressed the opinion that the only hope of their establishment lay in providing a permanent school fund.³ Then the popular idea that a State with such sparse population and no large towns could not maintain a system of public schools, undoubtedly had its effect on legislative action. It was true that New Bern, the largest town in 1820, had only 3,663 population, 2,218 of whom were negroes. But as early as 1815,⁴ the landed property of the State was valued at \$53,521,513. The personal property valuation at that time must have been at least \$100,000,000, for in 1838 the Literary Board⁵ estimated the land value of the State at \$64,000,000 and the personal property at \$136,000,000, making an aggregate value of \$200,000,000, notwithstanding the fact that the State Treasurer said in 1833 that the deficient property assessment laws and the poll-tax listing laws resulted in defrauding the State out of as much revenue each year as was actually

Wealth of State in 1833.

¹ P. 680. ² P. 704. ³ P. 238. ⁴ P. 622. ⁵ P. 834.

collected.¹ The actual revenue then collected was about \$68,000. If this amount had been doubled by proper legislation as Governor Swain and others urged, it is easy to see that an educational income nearly as large as was actually in hand in 1840 could have been easily provided as early as 1830, and possibly much earlier. These facts seem to dispose effectively of the argument so often advanced during these years that the State was doing all it was able to do on the subject of education. Public schools possible before 1840 and why.

But it would not be a true picture to recite all these things and not say something of the educational ideals voiced by so many of the leading men of this period. Though their voices were unheard for a long time, still what they said about education must have had some weight. It is, at least, true that what these men said has great historic value in any discussion of the evolution of our social institutions. Educational ideals.

In 1802, Governor Williams called the attention of the legislature to the subject of education and said that education would enable the people to appreciate their civil and political rights.² The next year, Governor Turner said that education was the foe of tyranny.³ In his message of 1804, he said that prosperity and happiness depended on education, and mentioned the subject of taxation for schools.⁴ In 1811, Governor Smith observed that education prevented crime,⁵ while Governor Stone two years earlier had suggested the establishment of schools secondary to the University, the first mention of State aid to high schools in these documents.⁶ Educational ideals of some early governors.

The narrow courses of study then dominating all the schools had vigorous opponents. In 1803, O'Farrell's school bill declared that the dead languages were not necessary to be taught in the schools of a republican government.⁷ In 1810, Jeremiah Battle raised objection to the Opponents of narrow courses of study.

¹ PP. 622, 628, 672. ² P. 31. ³ P. 43. ⁴ P. 49. ⁵ P. 80.
⁶ P. 60. ⁷ P. 46.

dead languages as the basis of all education.¹ In an account of the course of study in one of the Warrenton female academies, 1810, it was said that the standard English authors were read.² In 1795, Rev. John Alexander wished both "books and needles" to play a part in the education of his daughters.³ Before 1810, music, painting and embroidery were taught in the Raleigh Academy.⁴

Education in agriculture favored.

As early as 1810, an agricultural society was formed in Edgecombe and a library of books on agriculture began to be collected.⁵ In 1822, Governor Holmes lamented the neglect of agricultural education and suggested the teaching of agriculture in the State University. He also referred to the fact that the learned professions were crowded with incompetents who might make excellent farmers.⁶ The next year he urged the acquisition of a farm near the University, on which students might be taught agriculture.⁷ In 1826, Robert Potter, of Halifax, introduced a bill in the General Assembly to establish a political college on a farm in Wake County. This college, if established, would have had a professor of agriculture and the students would have spent a considerable part of their time in farm work.⁸ In 1831, a law passed the General Assembly to establish a free school in Johnston County. This school was to have a farm attached and trades were to be taught.⁹ In 1836, Donaldson Academy at Fayetteville asked State aid for the equipment of a manual labor department, a teachers' department, and an engineering department.¹⁰ These facts are abundant evidence that this period possessed many men who fully realized the importance of training in agricultural and mechanic arts, but possibly the presence of slavery had something to do with the failure of all their plans.

Educational ideals of other governors and citizens.

However, it was not the early governors alone, who

¹ P. 69. ² P. 77. ³ P. 10. ⁴ P. 76. ⁵ P. 71. ⁶ P. 195. ⁷ P. 212.
⁸ P. 300. ⁹ P. 494. ¹⁰ P. 736.

voiced educational ideals beyond their day and generation, as these documents show. In 1815, Governor Miller was democratic enough to say that public education was the only means by which all could be educated, and that education was the surest means of breaking down class distinctions.¹ The next year he declared that ignorance was best if you intended to make slaves of men.² In 1816, Judge Murphey proposed a system of public instruction to include the rich and the poor, in primary and secondary and higher schools. He even included the education of the deaf and dumb and the clothing and feeding of poor children at public expense, in his plan.³ In 1817, John M. Walker declared that liberty would vanish when wealth and education were the possession of the few only.⁴ In 1824, Charles A. Hill declared on the floor of the Senate that education was the foe of tyrants and the foundation of liberty; that education and civilization go hand in hand; and that ignorance was the cause of vice, while vice followed the neglect of the education of the children.⁵ In 1825, an anonymous correspondent of the *Western Carolinian* spoke of intelligence as the life of liberty, of education as the only sure basis of agricultural and commercial prosperity, and of the patriotic duty of all to promote the cause of public schools.⁶ During the same year, Governor Burton placed the establishment of a system of public education above internal improvements in importance, because of its influence on the moral character of the people and the preservation of our political institutions.⁷ In 1827, Upton, in the *Fayetteville Observer*, said that virtue would always be found in the train of education, that the prosperity of our neighboring States was due to the diffusion of knowledge, and that schools were intimately connected with the future well-being of our political institutions.⁸ In 1829, Charles R. Kinney answered the argument that it was unjust to tax one man to educate another's children,

¹ P. 100. ² P. 103. ³ P. 106. ⁴ P. 147. ⁵ P. 224. ⁶ P. 252.
⁷ P. 263. ⁸ P. 356.

Opponents of
schools enemies of
the people.

Present day ideal
first stated by
Friends.

by saying that the blood of the poor man was very often spilt in defense of the rich man's property.¹ In 1830, the *Raleigh Register* reminded the people that the legislature was under a solemn moral obligation to provide education for all the white people of the State.² And about the same time Governor Owen said in his message to the legislature that vice, irreligion and poverty were the results of ignorance, and that a tax on the rich for the education of the poor was justifiable.³ In 1831, the *Raleigh Register* made its strongest editorial utterance in favor of schools. It declared: "Let this be the test word by which the people try every candidate for office: is he friendly to free schools; popular education? If not, he should be marked as an enemy to the people; to their rights as freemen; as anti-republican in his principles, and unworthy of the confidence of those for whose benefit this Government was instituted."⁴ But the present-day idea that it is the duty of the State to provide education for all, regardless of race or financial condition, is nowhere clearly stated in these documents, except in the memorial⁵ of the Friends, sent to the legislature of 1834, wherein they protest against certain repressive slavery laws,⁶ such as prohibiting slaves and free negroes from preaching and making it a crime to teach a slave to read and to write. This memorial boldly declared "it unnecessary to urge the incontrovertible arguments that might be advanced from reason and Religion, to prove that it is the indispensable duty of the Legislature of a Christian people to enact laws and establish regulations for the literary instruction of every class, within its limits; and that such provisions should be consistent with sound policy, tend to strengthen the hands of Government and promote the peace and harmony of the community at large." This fine educational statement, far in advance of the times, fell on deaf ears. Some of our so-called

¹ P. 440. ² P. 454. ³ P. 458. ⁴ P. 528. ⁵ P. 675. ⁶ Pp. 477, 503, 536.

wisest men of that day continued to talk about "the education of the poor" and to introduce measures for the education of that class and to propose still harsher measures governing slaves. But Jeremiah Hubbard, or whoever wrote this Friends' memorial, was the wisest educational prophet of the period, in that he saw clearly the necessity of educating all classes of the people and the futility of making laws to repress the natural instinct of all human beings for more knowledge.

These references are sufficient to give the reader some Conclusion. idea of the educational creed of the wisest leaders of this period of our history. Their bold and concise statements of the educational duty of the State have not yet been realized in North Carolina. From what has been said, it is easy to see why they were impossible before 1840.

II. Educational Agitation: Measures and Results.

Hatred of taxation, sparse population, primitive means of communication, the presence of slavery, the educational destitution of the masses of the people, and the lack of a common religion made it extremely difficult during this period to gain friends for any measure looking to social and physical improvement. The people of the State lived apart. It took many long years to unite all the diverse elements of our population and to fuse them into one homogeneous people. The New England States did not have to go through this long process of fusion, hence they could begin earlier than North Carolina the work of public education and the realization of the ideals of great leaders. Here our educational leaders had to be content to utter their voices in the wilderness and then await the slow and tedious changes from an individualistic life to that of community cooperation.

Even in colonial days, Governor Dobbs with the aid of a number of our leading men proposed to establish one free school in each county. But the measure failed, partly

Barriers to community action.

Proposed colonial free schools.

because the governor and the Assembly disagreed about other matters and partly because no adequate means could be provided after the disappointing settlement the colony secured incident to the winding up of its claims against the mother country for its services in the French and Indian War.¹

Requests of Winwright and Innes.

But individuals were not wanting in those early days, possessing a keen appreciation of the educational needs of the people. In 1744, James Winwright left a bequest to establish a free school in Beaufort. In 1754, James Innes left his property by will to establish a free school for the benefit of the youth of North Carolina. But both of these bequests failed to realize the hopes of the donors.²

Educational clause in Constitution of 1776.

When the constitution of 1776 was framed, its 41st section provided that schools for the convenient instruction of youth should be established and that one or more universities should encourage all useful learning. This clause was always interpreted by the friends of education to mean that public schools were required to be provided by the legislature, as well as the support of the State University. Hence we hear often during this period the newspapers, the governors, and others reminding the legislature of its solemn duty to provide for public education. But the failure of the legislature to carry out the 41st section of the constitution of 1776, except in the one particular of chartering the University in 1789 and providing for its meager support, caused the early growth of the idea of State aid for academies already established by private means, as well as encouraged individuals to supply the lack of public schools. In 1795, Rev. John Alexander left a conditional bequest to provide education for the poor children of Hertford and Bertie counties.³ In 1798,

Academy plan first hope of people to establish public schools.

¹ State Records, XXIII, 392; Colonial Records, V, 298, 496, 573, 1041, 1095; Colonial Records, VI, 5, 477.

² Pp. 2, 4, 5. These documents are not printed in the Colonial Records, hence their presence here.

³ P. 11.

Warrenton Academy asked State aid to assist the efforts of private individuals, observing that this academy had been preparing youth for the State University, "A circumstance they humbly conceive that can not fail of attracting Attention, and inducing Consent to their present prayer." This request was refused on the ground that the condition of the finances of the State did not warrant making the donation.¹ In 1801, the citizens of Raleigh asked the Assembly to give them a lot in the town of Raleigh on which to erect an academy, which was granted on the condition that the title to the property should remain in the State.² The same year the trustees of New Bern Academy asked release from the payment of the balance on their bond given the State for the purchase-price of one of the "Palace" lots. This request was rejected as improper to be granted.³

Speaking of educational conditions in 1794, Judge Murphy declared there were, at that time, not more than three schools in the State "in which the rudiments of a classical education could be acquired," while there was great lack of books in even these few schools pertaining to history and literature.⁴ This condition of education, no doubt, caused Governor Williams to urge some "adequate and suitable means for the general diffusion of learning and science throughout the State," in 1802.⁵ This same year, Gen. Joseph Graham submitted his plan for a State Military Academy.⁶ The next year, Governor Turner urged the establishment of schools in every part of the State,⁷ and two bills were introduced in the Assembly looking to the establishment of academies. One of these bills, Dudley's, proposed to establish an academy in each superior court district and partially support them by escheats;⁸ the other, O'Farrell's, proposed to establish county academies of science but provided no certain means of support.⁹ Both

Bills to aid academies introduced.

¹ P. 14. ² P. 25. ³ P. 28. ⁴ P. 22. ⁵ P. 31. ⁶ P. 32. ⁷ P. 43.
⁸ P. 44. ⁹ P. 46.

Free school societies and their work.

these bills failed. In 1804, Governor Turner said he was desirous of seeing some plan of education introduced which would "extend itself to every corner of the State."¹ He observed that "many respectable academies have been instituted in different parts of the State" and that "several of them have failed for the want of sufficient support, and others are in a languishing state." But the Assembly paid no attention to his recommendation. The next year he again called attention to the subject of education "upon some plan that shall be general and effective, whether by affording some uniform support to one or more well regulated school or schools in every county in the State, after the example of our sister State South Carolina, or in some other adequate mode, is submitted to your wisdom."² And again the legislature failed to consider the subject in any way.

While Governor Turner was urging the legislature to take some action relative to establishing schools, a society of citizens of Edgecombe County, raised two or three hundred dollars to establish a free school for the education of poor children. Some few children received the benefit of this charity, but the intended school was never established.³

Between 1800 and 1825, these societies for the education of poor children seem to have been numerous, and to have had considerable influence in securing funds for their work. Besides the society in Edgecombe, there were societies in New Bern, Fayetteville, Wilmington, Raleigh, Wayne County, and Johnston County. The New Bern charitable society for the education of poor females was incorporated by the legislature of 1812.⁴ The Wayne County free school was incorporated in 1813,⁵ as was the Fayetteville orphan asylum, whose object was to clothe, educate and bind out to trades poor orphan children.⁶ The Wilmington Female Benevolent Society was incorporated in 1817, and its objects were declared to be "to secure to

¹ P. 49. ² P. 52. ³ P. 71. ⁴ P. 83. ⁵ P. 89. ⁶ P. 91.

poor children and destitute orphans, a moral and religious, as well as a common education; and besides furnishing with such education, to adopt, support and provide with situations that are useful."¹ In 1822, the *Raleigh Register* mentioned the work of the Female Benevolent Society of that place and said its purpose was to promote "industry and instruction of the children of indigent parents in the first rudiments of learning." The course of study in this school embraced instruction in the "rudiments of English language, the common rules of Arithmetic, Writing, Sewing and Knitting."² In 1825, the Orange County Sunday School Union sent a memorial to the legislature in which they said that their society had taught many poor children to read and asked an annual donation of twenty-five cents for each scholar for the purpose of supplying books. This request was promptly rejected.³ In 1831, the Johnston County Free School Law was passed. This law proposed to establish a central county free school, supported by county taxation, in which trades were to be taught. Permission was given the trustees to locate the school on a farm and to require the poor pupils educated in the school to teach after the completion of their studies. This law was repealed in 1834.⁴

In addition to the efforts of these societies to improve the educational condition of the masses, these documents refer to the generosity of Miles Benton, of Gates County, who left his property to establish a free school;⁵ to Alexander Dixon, of Duplin County, who left \$12,000 in 1814 to establish a charity school for the poor children of that county;⁶ and to Moses Griffin, of New Bern, who left a considerable bequest, in 1816, to establish a free school for poor children.⁷ Benton's bequest was lost in litigation which arose over the settlement of his estate. Griffin's heirs brought suit to test the constitutionality of the be-

Requests to establish free schools.

¹ P. 166. ² P. 208. ³ P. 283. ⁴ Pp. 494, 678. ⁵ P. 86; 1813.
⁶ P. 94 ⁷ P. 114.

quest on the ground that it created a perpetuity contrary to our State Constitution. In 1820, the Supreme Court declared the bequest legal, but unfortunate management of the fund resulted in failure to establish the school prior to 1840. This fund is still in existence in diminished amount and is now used by the public schools of the town of New Bern. The Dixon Fund was also mismanaged, but is still in existence, yielding an income of a little less than \$150 annually, and is used as a part of the public school funds of Duplin County.

Legislative indifference to establishment of schools.

From 1806 to 1814, the legislative records of the State do not disclose enough interest in education on the part of the Assembly to consider the subject in any form, although Governors Alexander, Williams, Stone, Smith and Hawkins repeatedly urged the consideration of the subject as of highest importance. In 1815, Governor Miller reminded the legislature that only by public aid could "the temple of science" be opened to all, and urged the consideration of some plan by which every member of the community could receive the benefits of education.¹ But still nothing was done beyond the appointment of a joint committee of the two houses, consisting of Frederick Nash, Simmons J. Baker, and James McKay, the first education committee ever appointed.² The next year Governor Miller warned the Assembly of the dangers of a union of two such powerful agents as wealth and talents and proposed the consideration of providing a fund for the education of all the people.³ On the education committee of 1816 was Senator Archibald D. Murphey, of Orange. Murphey had proposed to refer the governor's remarks on education to a special committee,⁴ and later he was made chairman of the committee and wrote with his own hand its wonderfully interesting report,⁵ in which he declared that the State's strength lay in the great mass of the people, that the State should afford to all the means to become enlightened with-

Murphey's report of 1816.

¹ P. 100. ² P. 101. ³ P. 103. ⁴ P. 104. ⁵ P. 105.

out distinction of class, and that primary and secondary schools should be established leading directly to the University. At the close of this report Mr. Murphey proposed the appointment of a committee "to digest a system of public instruction" and submit it to the next General Assembly.¹

When the Assembly met in 1817, Governor Miller invited its attention to the subject of education "in a particular manner," and on November 29, Mr. Murphey submitted his plan for the establishment of public schools.² In brief his plan was to provide a school fund to be managed by six commissioners with the governor at their head, with power to locate schools, to fix salaries of teachers, to appoint the trustees of the secondary schools, and to devise a plan for the promotion of pupils from the primary schools to the secondary, which were to prepare students for the university. His plan further provided that the counties were to be divided into townships with primary schools in each and also that the incorporated towns were to establish such schools, all aided by a combination of State and local funds. The secondary schools were to be aided by the State's paying one-third the salaries of the teachers. There were to be ten secondary schools. Mr. Murphey's plan further included many details relating to the organization of schools and their courses of study, their method of instruction and discipline, the education of poor children at public expense, and the establishment of an asylum for the education of the deaf and dumb. On December 16, Mr. Murphey introduced a bill³ to carry into effect the recommendations contained in his report. This bill passed its first reading in each house and then disappeared. There is no record to show what disposition was made of the measure. It is certain, however, that it did not become a law, and it is also within bounds to say that this measure and the report on it embraced the profoundest and most

Murphey's report
of 1817.

¹ P. 111. ² P. 123. ³ P. 165.

comprehensive educational wisdom ever presented for the consideration of a North Carolina legislature.

Walker's report of
1817.

Following Mr. Murphey's report of 1817, there was presented another report¹ by one of the committee appointed in 1816. This report was signed by John M. Walker. Mr. Walker's plan consisted in providing for the education of teachers. His theory was to educate a great number of teachers, thereby reducing by competition the price of tuition to that level at which all parents might be able to pay for the education of their children.

Martin's bill to
establish and regu-
late schools.

When the Assembly of 1818 met, Governor Branch called its attention to the constitutional requirement to establish schools, and added that "we are bound as servants of the people under the solemnities of an oath to steer the vessel of State; and when we connect this imperious duty with the luminous and impressive appeals which have been so often made to the Legislature for the last year or two, I apprehend that nothing that I could add would impart additional force."² During this session of the Assembly, William Martin, of Pasquotank, introduced a bill³ to establish and regulate schools, which passed its second reading in the Senate but met death in the House of Commons on its first reading. This bill provided for the establishment of schools in each militia district, under the direction of five county commissioners chosen by the county courts. There were to be three committeemen for each school to employ the teacher, fix the rates of tuition, and to designate the poor children to be taught free. This law further provided that each teacher was to receive an annual salary of \$100 to be paid out of the public funds and two-thirds of the tuition money. Each county was empowered to levy a tax of as much as 10 cents on each \$100 valuation of property and 50 cents on each poll in support of schools. And finally, this law provided free books and supplies for poor children.

¹ P. 147. ² P. 171. ³ P. 174.

The next year Governor Branch declared that education was the paramount question in North Carolina and called attention to the "languishing condition of some of our nurseries of science."¹ During this year the *Blakeley Gazette*² said that public sentiment favored the establishment of free schools, but that there was a division of opinion as to the best plan, whether by providing a school fund or by endowing central academies and requiring them to establish branch public schools. But Governor Branch's message could not be wholly neglected. The education committee, through its Chairman, Emanuel Shober, made a somewhat lengthy report in which it was admitted that the children of the State could not be educated by private means and suggested establishing a school fund on the basis of the Cherokee lands or the bank stock then owned by the State, the proceeds to be applied to education in the several counties.³

School fund definitely proposed.

The Assemblies of 1820 and 1821 did not consider the school question, but in 1822 Governor Holmes⁴ made such an earnest appeal for carrying out the constitutional requirement in regard to schools that the taxes on auctioneers were proposed to be devoted to aiding academies⁵ and a special committee report on the policy of the national government relative to the proceeds of the sale of public lands was rendered and a resolution adopted, asking Congress to appropriate the proceeds of such sales to the States for purposes of education.⁶ But nothing came of either proposal. However, the friends of education did not despair in the face of so many failures. When the legislature of 1823 met, Governor Holmes⁷ repeated his suggestion about teaching agriculture in the University, while J. A. Hill, of New Hanover, introduced a resolution directing the committee on education to inquire into the expediency of establishing schools in conformity with the 41st section of

Attempt to secure national aid and to subsidize academies.

Hill's resolution to establish schools ignored.

¹ P. 180. ² P. 182. ³ P. 184. ⁴ P. 194. ⁵ P. 197. ⁶ P. 199.
⁷ P. 212.

Gov. Holmes says
he has little hopes
of any school
legislation.

Hill's school fund
bill fails.

the constitution. But this committee made no report and introduced no bills,¹ although the *Western Carolinian* assured the legislature that no appropriation which it could make would be so little objected to as one for the support of common schools.² The next year Governor Holmes, in his message,³ spoke of the overflowing treasury of the State, and regretted that not one cent had been appropriated to improve the minds of the children. "But," said he, "I have harped on it so often that I now touch the chord with almost hopeless expectations and frigid indifference." Still he thought the legislature would not hesitate to create a fund to promote the education of the people. But in this expectation he was to be disappointed. His suggestion⁴ relative to the creation of a school fund, however, met with a hearty response from Charles A. Hill, of Franklin, chairman of the Senate committee on education, who introduced a bill,⁵ on December 6, 1824, to carry out the wishes of the chief executive. This measure had for its long and singular title: "A Bill to create a fund for the purpose of educating that part of the infant population of the State who shall from time to time be found destitute of the means of becoming otherwise properly taken care of in that particular." This bill provided "that all the Bank stock, which shall be acquired by this State, through the investment of the Treasury notes ordered to be issued by the last General Assembly; together with all the monies which shall annually be collected from taxes at present laid on Gates, natural and artificial curiosities, peddlers, negro traders, and Billiard tables" shall belong to the school fund. The management of the fund was placed in the hands of the governor, the secretary of State, the treasurer, and the comptroller. On the third reading, the Senate passed the bill,⁶ 38 yeas to 16 noes, but

¹ P. 214. ² P. 215. ³ P. 217. ⁴ John Haywood, State Treasurer, this year suggested a plan for a school fund. See p. 236. ⁵ P. 219. ⁶ P. 222.

the House of Commons rejected it. The lower House earlier in the session had indefinitely postponed a bill¹ by one of its own members, Samuel P. Ashe, of Cumberland, entitled: "A Bill providing a fund and plan for the Education of the youth of the poor in the different Counties of this State." This bill contained a provision for county commissioners of schools, one from each captain's district, to be appointed by the governor, with the chairman of the county court as chairman of the board of commissioners to manage the schools. The duties of the commissioners were declared to be the apportionment of the county school fund and the determination of the poor children to be educated at public expense. The commissioners were empowered to elect a treasurer and a secretary. This bill contemplated supporting the schools by a direct appropriation from the State treasury and made no provision for county or local taxation in any form. These measures and a resolution to appoint John Louis Taylor, Joseph Caldwell, Peter Browne, and Duncan Cameron a committee to prepare a plan or system of Public Education for the instruction of children of poor or indigent parentage² and report to the next Assembly³ constituted all the educational work of the Legislature of 1824.

Ashe's bill to educate the youth of the poor rejected.

Committee to prepare a plan for public schools.

Again the legislature had met and done nothing to establish public schools. But "A. B.", in the *Western Carolinian*, about this time, said that North Carolina had always acted as if nothing could be done. However, he observed that in case of war the State could annually support with ease 1,000 men in the field, and could now as easily support 1,000 teachers half the year.⁴ An Edgecombe correspondent of the *Raleigh Register* also urged the establishment of public schools, and spoke of a public meeting recently held in that county to petition the legislature to establish them.⁴ Although the legislature of 1824 had done nothing for education, still it looked like

Sentiment in favor of some action increasing in vigor.

¹ P. 229. ² P. 235. ³ P. 241-3. ⁴ P. 244.

The real reason
why schools were
not established.

the sentiment in favor of some action was increasing in strength and vigor as the years went by. As soon as the legislature passed the joint resolution to appoint Judge Taylor and others to formulate a plan for establishing public schools, the *Raleigh Register*¹ said that nothing had before prevented their establishment "but the difficulty of forming a suitable plan for effecting the object." For once the *Register* nodded. This had always been the last excuse of the opponents of public schools for not establishing them, but no one can, at this distance, believe that was the real reason. Every conceivable plan had been proposed that could have been proposed; first, to subsidize the academies; second, to create a school fund; third, to support the schools by a combination of local taxation and permanent income, which was Murphey's plan; and fourth, to establish schools by county taxation. But none of these could be gotten through the legislature, all because, if we are to believe the *Register*, no suitable plan had yet been proposed! The truth is that no local or county taxation measure could pass, because that would raise taxes. And the creation of a permanent school fund large enough to support a system of schools was only remotely possible by setting aside for that purpose all the bank stock then owned by the State, the income of which was being used at that time to help defray the expenses of the State government. This plan would have resulted in raising taxes indirectly and would have meant the same thing as establishing schools by direct taxation. But the majority of the people were not ready to increase their taxes in order to establish public schools and that is the real and only good reason why they were not established.

Work of Legislature of 1825; Gov. Burton's memorable message.

In October, 1825, the *Register*² said that it trusted that "our Legislators will consider it among their most sacred duties to adopt immediate and efficacious steps for establishing public schools." On the assembling of the legis-

¹ P. 251. ² P. 257.

lature, Governor Burton¹ sent it one of the strongest educational messages ever sent to a North Carolina assembly. He said that internal improvements were important, but that education was more important; that the former regarded only the face of the country and the pecuniary interests of the people, but that the latter was concerned with the temporal and eternal happiness of mankind. He pleaded earnestly for brushing aside every difficulty in the way of establishing schools, though they arose at every step. He also said that "if the preservation of our political principles in their original purity be of any value—if the moral character of the people be matter of moment—if honest merit should have fair play in our elections, then let us not delay, but immediately begin the important work!" And much more of the same tenor.

Early in the session the people of the county of Beaufort sent a petition² to the Assembly asking for the establishment of free schools, and Mr. Ashe, of Cumberland, again called attention to the subject by a resolution³ instructing the committee on education "to inquire into the expediency of reporting a bill creating a fund for, and a plan by which common schools may be established." The committee appointed in 1824 sent in their report through the governor. This recommended the division of the State into school districts, the election of twelve to fourteen county school commissioners by the county court, the appointment of three committeemen for each district, a county tax for the erection of a schoolhouse and a teacher's house in each district and for the payment of the salaries of teachers. There were also recommendations that the people of the districts be given the selection of teachers, that the chairman of the county commissioners should have some supervisory powers over the schools, and that all teachers must be able to teach reading, English grammar, and the ordinary rules of arithmetic. In its essential features this plan did not differ materially from some of

The Committee report
on plan of education.

¹ P. 263. ² P. 266. ³ P. 266.

Failure of lottery
scheme and pas-
sage of Literary
Fund law of 1825.

those previously submitted. Its essence was that the schools were to be supported by taxation, hence no attention was paid to its recommendations.¹ Two days after this report was presented, Wm. M. Sneed, of Granville, introduced a bill in the Senate to raise a common school fund by lottery, but this bill never passed the Senate². And on December 22, Mr. Hill, of Franklin, again submitted a bill to create a permanent school fund, similar to the bill he introduced the previous year.³ This bill with slight amendment became the Literary Fund Law of 1825. Its exact title was "An act to create a fund for the establishment of common schools." The fund thus created, in the language of the act, consisted of "dividends arising from the stock now held" and which may hereafter be acquired by the State in the Banks of New Bern and Cape Fear, and which have not heretofore been pledged and set apart for internal improvements; the dividends arising from stock which is owned by the State in the Cape Fear Navigation Company, the Roanoke Navigation Company, and the Clubfoot and Harlow Creek Canal Company; the tax imposed by law on licenses to the retailers of spirituous liquors and auctioneers; the unexpended balance of the Agricultural Fund; all monies paid to the State for the entries of vacant lands (except Cherokee lands); the sum of twenty-one thousand and ninety dollars, which was paid by this State to certain Cherokee Indians, for reservations of lands secured by them by treaty * * * ; and of all the vacant and unappropriated swamp lands in this State, together with such sums of money as the Legislature may hereafter find it convenient to appropriate from time to time."

The literary fund thus set apart for education was placed under the control of a board consisting of the governor, the two speakers of the House and Senate, the State treasurer, and the chief justice of the supreme court,

¹ P. 267. ² P. 277. ³ P. 279.

whose corporate title was "The President and Directors of the Literary Fund." This fund was wholly inadequate ^{Inadequate school fund.} for the purpose in view, and was known to be so at the time. The *Raleigh Register* said that this provision would enable some future legislature "to commence the operations of the plan."¹ The income of the fund during the first year after the law was enacted was stated to be \$12,724.95; from bank stock, \$2,840; from license taxes on liquor, \$4,109.84; from licenses to auctioneers, \$741.04; from land entries, \$4,614.07; and from Cape Fear Navigation Company, \$420.00.² A year later Governor Burton³ said to the Assembly that "the last Legislature commenced the important work, but if that beginning is not well sustained and pursued, the present generation may pass away, before anything effectual is accomplished." Nor were there lacking others who entertained similar views. Several attempts were made by individual members of the Assembly of 1826 to increase the Literary Fund. Henry Seawell, of Wake, introduced a resolution to raise \$630,000 by lottery and turn it over to the sixty-three counties for the purpose of establishing schools;⁴ and James J. McKay, of Bladen, introduced a bill to transfer all the bank stock acquired by the State since 1821 to the school fund.⁵ Both of these measures failed. The net result was a law to raise \$50,000 by lottery and permit Judge Murphey to use half of it to publish a history of the State, the remainder to go to the literary fund.⁶ But this lottery was a failure, and the history was not published nor the school fund increased.⁷ Such was the fate of every proposed measure to increase the literary fund for the next ten years.

Still the friends of improving the educational condition of the State were not discouraged. The same legislature of 1826, which refused to increase the literary fund, al- ^{Death of other educational bills.}

¹ P. 291. ² P. 346. ³ P. 294. ⁴ P. 298. ⁵ P. 341. ⁶ P. 298.
⁷ P. 384.

though the State at that time owned more than \$548,000 in bank stock alone,¹ only about \$100,000 of which was a part of the school fund, was given the pleasure of entombing several other educational measures. Robert Potter thought the State ought to issue \$200,000 worth of bonds to erect and endow a "political college," one of whose objects was to train teachers and "elevate the character of the State." But the legislature would not heed his appeals.² Another measure, introduced by Samuel King, of Iredell, had for its object the appropriation of a small amount to aid Sunday Schools to teach poor and destitute children to read. But this measure also failed.³ John Scott, of the town of Hillsborough, wished to appoint a commissioner to collect statistical information, but John Boon, of Orange County, moved to kill the measure and the majority agreed with the country man against the borough man.⁴

The morality of
lotteries discussed.

The Legislature of 1826, after passing several lottery bills, refused to grant the lottery privilege to a number of academics and indulged in a hot debate over their morality.⁵ The opponents of lotteries were led by Charles A. Hill, of Franklin, who very properly contended that they were merely gambling devices. The advocates of lotteries argued that they aided good causes, kept money at home which would be spent in patronizing foreign lotteries, if the domestic article were outlawed; also that gambling could not be prohibited by law, that a lottery was like an insurance risk, and that a game of chance was not immoral. This discussion and its results indicated that the moral sense of the State was awakening. It was only five years later that a lottery to promote the publication of a North Carolina history was definitely refused on moral grounds.⁶

Organization of
Literary Board;
its recommenda-
tions.

The first Literary Board organized on January 16, 1827, and appointed Bartlett Yancey to write its report

¹ P. 350. ² Pp. 300, 308. ³ P. 339. ⁴ P. 349. ⁵ P. 330. ⁶ P. 529.

to the legislature.¹ This report² recommended the establishment of public schools as a moral duty, the increase of the literary fund, and the drainage of the swamp lands. In urging the increase of the literary fund, this report took pains to say that its recommendation of the transfer of the bank stock acquired since 1821 had not been made "without due regard to the revenue of the State, and its ordinary disbursements, and no doubt is entertained but the stock may be appropriated as recommended without injury to either." But when Mr. McKay's bill³ to do this very thing was before the Senate, it could muster only seven votes. Evidently the anti-taxation members of the legislature had grave doubts about the ultimate effect of adopting such a recommendation.

The ten years between 1827 and 1837 resulted in no educational legislation, except those measures of doubtful value, prohibiting the teaching of slaves to read and to write and forbidding negroes to preach the Gospel. But measure after measure was proposed, looking to educational progress. In 1827, a society was incorporated⁴ to promote the education of deaf and dumb children. A land grant was asked from the national government to endow the proposed school, but no grant was made and failure marked the end of the whole matter. In 1828, "S," through the medium of the *Register*, addressed the members of the legislature and proposed to issue bonds and use the interest to educate teachers at the University.⁵ The teachers educated under the proposed arrangement were to receive the small salary of \$200 a year for two or three years, thus making tuition low and thereby "diffusing education." The legislators paid no attention to this scheme, but did consider somewhat the bill⁶ of Tryam McFarland, of Richmond, proposing a plan "for the education of the poor children of North Carolina," which consisted in using the income of the literary fund to pay

Ten unfruitful years.

A Deaf and Dumb Institution.

McFarland's bill to educate poor children.

¹ P. 345. ² P. 346. ³ P. 342. ⁴ P. 379. ⁵ P. 400. ⁶ P. 422.

the tuition of destitute children in schools already established. Two commissioners in each captain's district were to select those to be educated free. This bill met its legislative death in the Senate, December 19, 1828.¹ But Mr. McFarland believed in perseverance, so he reintroduced his bill again in 1829,² and still again in 1830,³ only to meet defeat in every effort to obtain some kind of a school law.

Other educational
measures defeated.

At this distance, it is almost inconceivable why some of the measures proposed during these ten years were not adopted. For instance, Mr. Thomas Hill, of New Hanover, proposed to the legislature of 1830 to find out how many children there were in the State who had no opportunity to obtain an education, but that august body did not care to know.⁴ The same year Archibald Monk, of Sampson, proposed to add 1,063 shares of bank stock to the literary fund, but this too was defeated,⁵ as was also McFarland's proposition to apply the license fees paid by attorneys⁶ to increasing the fund. The wisest heads of that day, men like Frederick Nash and John M. Morehead, reported to the Assembly in 1828⁷ and in 1827⁸ that the literary fund was too small to establish schools. A similar report was made by Samuel T. Sawyer in 1830.⁹ In 1833, a report by the legislative committee on education said that the literary fund must be increased before any plan of public education could be attempted.¹⁰ In 1836, the chairman of the committee on education reported¹¹ that there was nothing, in his opinion, in the condition or the character of the people of the State repugnant to the successful operation of a system of common schools; that difficulties would likely arise upon the commencement of such a plan of education, due to the sparseness of the population and to "the prejudices of the country upon the subject"; but this committee would not rec-

¹ P. 425. ² P. 446. ³ P. 462. ⁴ P. 472. ⁵ P. 470. ⁶ P. 468.
⁷ P. 428. ⁸ P. 376. ⁹ P. 467. ¹⁰ P. 655. ¹¹ 740.

commend that schools be established, because they "would require a sum far beyond the present resources of the State." Evidently the dominant sentiment was content to let the fund set aside in 1825 slowly accumulate without any additions, a course of action which Governor Burton said would certainly mean the failure to establish public schools during his generation. But though abundant evidence has already been given to show the difficulty attending the adoption of any constructive policy during this period, a few more evidences may throw additional light on the narrowly contracted, individualistic legislative policy which seemed to be attached to the State with hooks of steel. In 1830, Thomas Hill presented a fruitless memorial from citizens of New Hanover, asking for the establishment of public schools.¹ In 1831, Governor Stokes took occasion to say that he thought the legislature would be too busy with the capitol building and the bank question to give any attention to schools.² In 1827, the House of Commons rejected a resolution to place the Canova statue of Washington on rollers, so as to remove it easily from the capitol in case of fire. This statue was ruined by fire in 1831 as a consequence of that penny-wise action. The same year the Commons refused to undergo the expense of placing a clock in their own hall. And so jealous of State sovereignty were they that they also, the same year, rejected a resolution requesting the Secretary of War to have a railroad surveyed from New Bern to Raleigh and westward.³ After the appearance of the Caldwell letters⁴ in 1832, in which the sad condition of education in the State was so clearly pointed out and the degraded condition of the primary teachers and their schools pictured in the most unsparing manner, a resolution looking to the establishment of a teachers' normal school was introduced in the Assembly.⁵ This was Dr. Caldwell's cherished plan to better educational conditions. But the bill failed be-

¹ P. 464. ² P. 490. ³ P. 398. ⁴ P. 545. ⁵ P. 534.

Opposition to
denominational
schools.

cause there was no money with which to undertake the work, the committee on education reporting that the literary fund had been too much used by the State of late years. The annual income of the fund was now said to be only about \$8,000. In 1833, there took place a characteristic contest in the legislature over chartering two denominational schools,¹ the Greensboro Academy and Manual Labor School and the "Literary and Manual Labor Institution in the County of Wake." The committee on education amended the Greensboro school bill by making the board of trustees self-perpetuating instead of permitting the Presbytery of Orange to fill vacancies on the board. The committee report on the bills contains this sentence which seems to explain the nature of the opposition to them: "Your committee are aware that apprehensions are entertained that if these bills be passed into laws a class of individuals in their corporate capacity may have conferred upon them privileges, if not incompatible with our Constitution and Bill of Rights, yet inconsistent with the freedom and genius of our institutions."² This meant that a great many of the members of that legislature believed these bills violated the spirit of that section of the constitution which forbade the establishment of one religious society in preference to another.

Plans of Kinney
and McQueen.

One of the most sensible of the early plans for establishing schools was that outlined by Charles R. Kinney in 1829.³ Briefly, Mr. Kinney proposed to divide the counties into districts and give them corporate powers and the right to levy a tax for a four months' school and the erection of schoolhouses. His plan also contemplated the examination of teachers and the New England custom of employing female teachers during the summer months. Another plan⁴ was submitted by Hugh McQueen, of Chatham, in 1834. In brief, McQueen's plan proposed transferring the poor taxes to the support of schools, by pro-

¹ P. 660. ² P. 661. ³ P. 440. ⁴ P. 695.

viding that after the death of any pauper the tax levied for his support should not be discontinued but continued and the proceeds placed to the credit of the literary fund. This pauper measure failed, but it seemed to strike the legislature with considerable force, and it was printed in the laws of 1834.

Reference has already been made to the use of the literary fund by the State during the years 1827 to 1837. In his report for 1832, the public treasurer said that "the use which is thus made of the cash belonging to this fund, excludes the possibility of carrying into effect the design contemplated by the act of 1825; and the President and Directors instead of investing, or otherwise disposing of it for improvement, as directed by that act, have been obliged virtually to relinquish for a time, their control over it."¹ During this year as high as \$64,000 was borrowed by the State from this fund during one month.

Use of Literary
Fund by State.

Another attempt to better educational conditions during these ten years of inaction was the effort to organize a State teachers' association to promote the cause of education. In 1830, a newspaper article suggested that such an association be formed to promote the establishment of common schools.² This suggestion was seconded by the *Register* in May 1831. A meeting of teachers at Chapel Hill during the commencement of the same year was the result. This meeting adopted a constitution and organized the N. C. Institute of Education, whose objects were said to be the "mutual consultation and the discussion of subjects connected with education and the advancement of knowledge." Dr. S. J. Baker, of Martin, was made president; W. M. McPheeters, W. M. Green, and Fred. Nash, vice-presidents; and W. A. Norwood and W. J. Bingham, secretaries. The executive committee was composed of Professors Hooper, Phillips and Mitchell. Meetings were held in 1832 and in 1833, when they ceased.³

Attempt to organ-
ize the teachers.

¹ Pp. 541, 724. ² P. 452. ³ P. 510.

The use made of
the surplus
revenue.

The year 1837 began a new era in North Carolina educational history. The immediate cause of the change from the do-nothing policy long in vogue was the distribution of the surplus revenue by an act of Congress in 1836. The total amount received from the national government under this act was \$1,433,757.39,¹ which amount was used as follows: "1st to defray the Civil and Contingent expenses of the State Government, \$100,000; 2nd for the redemption of the public debt due the U. S. in trust for the Cherokee Indians created for the purpose of paying the State's subscription for the stock in the Bank of the State of N. C., which stock constitutes a part of the fund belonging to the board of Literature, \$300,000; 3rd For the payment of Stock in the Bank of Cape Fear subscribed for by the Pres. & Directors of the Literary fund, \$300,000; 4th For draining the Swamp Lands of the State under the direction of the Board of Literature, \$200,000; 5th Invested in Stock of the Wilmington and Raleigh Rail Road Company by the board of Int. Improvement, \$533,757.39." This increase in the active capital of the banks gave immediate impetus to works of internal improvement and inspired broader plans for public education.

The work of the
Legislature of
1836-7.

When the legislature of 1836-7 met, it refused to fritter away the surplus revenue by distributing it among the counties in proportion to population and taxation,² and adopted the plan of distribution outlined above. There were those in this legislature who desired to establish public schools at once, among the number, Alfred Dockery, of Richmond, who insisted on adding all the surplus revenue to the literary fund and the distribution of the interest to the counties for the education of indigent youth.³ But the legislature of 1836-7 was not ready to enact a school law. It contented itself with an instruction to the literary board to digest a plan for common schools and submit it to the next Assembly,⁴ with the passage of a law incorporat-

¹ P. 800. ² A. 743. ³ P. 743. ⁴ P. 744.

ing the literary board and giving the governor power to appoint it,¹ and finally with the enactment of a law definitely vesting the swamp lands in this board and appropriating \$200,000 for draining them.

Early in the session of the Assembly of 1838-9, Mr. Dockery repeated his resolution relative to the establishment of public schools.² H. G. Spruill presented a resolution and a plan which contemplated dividing the counties into school districts and holding an election in each district on the question of *school* or *no school*. The district was to be empowered to levy a tax to pay one-half the teacher's salary, the other part to be paid out of the income of the literary fund. A notable feature of this plan was the suggestion that every district refusing to establish schools should be required to vote on the question every year until they were established.³ The plan submitted by the literary board recommended the division of the State into 1250 districts, estimating an average school population for each district of 108 children between the ages of 5 and 15; the establishment of normal schools after the fashion advocated by President Caldwell some years before; the holding of an election in each county to determine whether it was willing to levy a tax for schools to amount to twice the sum expected from the literary fund; and the appointment of a State superintendent of common schools.⁴ It was estimated by the board that the income of the school fund was then about \$100,000. This amount, added to \$200,000 proposed to be raised by county taxation, would pay the 1250 teachers each a salary of \$240 a year.⁵ The suggestions of the board were received with considerable interest. Bills to carry out the plans of the board were introduced in the Senate by Wm. W. Cherry and in the House by Frederick J. Hill. Mr. Cherry's bill⁶ did not contemplate establishing schools until another meeting of the Assembly; Mr. Hill's bill⁷ provided

Plans to establish public schools considered.

¹ P. 748. ² P. 822. ³ P. 823. ⁴ P. 826. ⁵ P. 835. ⁶ P. 866.
⁷ P. 873.

for their immediate establishment. Both bills did not go as far as the literary board recommended in the way of raising local funds. Mr. Hill's bill empowered the literary Board to appoint a "State Superintendent of Public Instruction."

The first school law and its provisions.

The net result of the educational efforts of the Assembly of 1838-9 was the passage on January 7, 1839, of a law submitting the question of *schools* or *no schools* to a vote of the people of the several counties in August, 1839. It was also provided by this law that a favorable vote meant a county tax levy of one dollar for each two dollars to be received from the income of the literary fund. The schools established were to be under the control of five to ten county superintendents; the whole territory of the county was to be divided into no more districts than one for each 36 square miles and the first term of the schools in each district was to be conducted on \$20 of county taxation and \$40 income from the literary fund.¹

The educational campaign of 1839; newspaper arguments for the school law.

As soon as this law was enacted, the friends of the establishment of public schools began an active campaign in their favor. In March, 1839, the *Raleigh Star*² observed that it had no doubt of the result of the election to be held in August, but urged the friends of schools to spread information about the law providing for them. It was true, this paper said, that the South was far behind in popular education, and that the proposed schools would endow the children with sound learning and establish them in good morals. The *Star* took some pains also to say that those who took advantage of the schools proposed would not be considered pensioners on the public bounty, because what was general could but justly be considered the right of all. The *Carolina Watchman*³ made the point that the taxes then levied were nearly all spent on courts and that the additional school tax proposed would all be spent at home and could not, therefore, be a burden, nor make the people

¹ P. 886. ² P. 893. ³ P. 895.

poorer. In addition, the *Watchman* declared that education would lessen crime, and said it was simply not true that plain farmers and mechanics needed no education, as was so often contended. The veteran *Register*¹ argued that education was necessary to the honor and welfare of the State; that public schools would make demagogues scarcer; that general education would bring prosperity; and, finally, that a tax for schools was only "a draft of children and of innocence on the overflowing treasury of a Parent's heart." The *Rutherfordton Gazette*² said that the ignorance of the masses was a great evil, that the prosperity of the State was at stake, and that North Carolina had been lukewarm too long on the subject of popular education. The *Newbern Spectator*³ said that it was the patriotic duty of all to support the establishment of schools and deprecated making the adoption of the law a political question, as was then being done in Craven County, though, if the Whigs had been in power, it said, a school system would have been put in operation years before.

In advertising the election of 1839, the sheriff of Stokes County⁴ took occasion to advocate the adoption of the school law. He answered the opponents of schools who were circulating the specious argument that the tax would be one imposed on the poor for the benefit of the rich. In the most caustic manner he paid his respects to some Stokes Democrats who were opposing the law, and insisted that there could be nothing improper in permitting the people to decide whether they would have public schools or not.

The Davidson County members of the Assembly⁵ of 1838-9 issued an address to the people. They maintained that public schools would work a moral, mental and physical revolution in North Carolina. This address recited the objections raised to the adoption of the law and answered them in detail. The principal objection to the law

¹ P. 897. ² P. 898. ³ P. 899. ⁴ P. 900. P. 902.

in Davidson, as it was everywhere else, was the fact that a vote *for schools* meant a vote to increase taxes. The answer to this objection by the Davidson legislators was dignified and statesmanlike. They maintained that taxation was a mark of all well-regulated governments, that the small increase in taxes was to be held as of little moment in comparison to the immense good to be derived by the community in increased moral well-being. They also answered such selfish and frivolous objections as these: "It is wrong to tax the rich to educate the poor; it is wrong to tax one man who has no children to educate another man's children."

Objections of
"Rusticus."

"Rusticus" in the *Register* of August 3, 1839, stated the objections urged against the adoption of the school law by its more thoughtful opponents. He objected to the inadequate salary allowed teachers, the shortness of the school term proposed, the large districts, and the lack of competent teachers. These, "Rusticus" thought, were four fatal objections to the plan submitted for the approval of the people, and he urged its rejection and the submission of a more practicable measure. Especially did "Rusticus" urge the establishment of a school to educate teachers.¹

The result of the
election.

The *Raleigh Register* did not give complete returns of the school election.² But, from those given, it seems the law failed in Rowan, Lincoln, Yancey, and Davidson, in the West; and in Edgecombe, Wayne, and Columbus, in the East. The great majority of the counties adopted the plan, and thus approved the principle of establishing schools by a combination of county taxation and State aid derived from the permanent school fund established in 1825.

A word in conclu-
sion.

Thus the long agitation was ended. In some form or other North Carolina has maintained public schools during all the time since 1840, except a few years immediately following the Civil War. The names of the men who took part in convincing the State that it ought to establish

¹ P. 907. ² P. 910.

schools appear in these documents in their true light. Some of them, judging by present-day standards, were wise and some not so wise; but all of them must have been men of more than ordinary force of character and persistency of purpose to continue the agitation against hostile public opinion and finally win a victory, even though it was a victory won for the most righteous cause ever battled for in any period of our history. While the school law of 1839 was not a very satisfactory measure, it marked the beginning of a new era. Individualism was now gradually to give way to community spirit; selfishness and intolerance which only desired to be undisturbed must now needs give place to measures devoted to the welfare and uplift of all the people; hatred of taxation for schools must now begin to disappear before the dawning of that wiser policy that no taxation is oppressive which is used for giving equal educational opportunities to all.

CHARLES L. COON.

Wilson, North Carolina,
December 14, 1908.

1744

- 1. FREE SCHOOL IN BEAUFORT: JAMES WINWRIGHT'S WILL.**

**1. FREE SCHOOL IN BEAUFORT: JAMES WINWRIGHT'S
WILL.**

Property willed for
school.

Kind of teachers
and course of
study; manage-
ment of fund.

Master's house and
school house
provided for.

Land for the use of
the master.

Master to decide
who shall be
taught free.

I will and appoint that the yearly Rents and profits of all The Town land and Houses in Beaufort Town Belonging unto me with the other Land adjoining thereto (which I purchased of John Pindar) after the Decease of my wife Ann to be Applyed to the Uses hereinafter Mentioned for Ever (to Wit) for The encouragement of a Sober discreet Quallified Man to teach a School at Least Reading Writing Vulgar and Decimal Arithmetick in the aforesd. Town of Beaufort, wch said Man Shall be Chosen and appointed by the Chair Man (or the Next in Commission) of Carteret County Court and one of Church Wardens of St. John parish in the aforesd. County and Their Successors for Ever, also I Give and Bequeath the Summ of Fifty pounds Sterling (provided that my estate Shall be Worth so much after my Just Debts and other Legacys are paid and Discharged) to be applyed for the Building and finishing of a Creditable House for a School and Dwelling house for the said Master to be Erected and Built on Some part of my Land^d Near the White house Which I bought of the aforesaid Pindar, and my True Intent and Meaning is that all the yearly profits and advantages arising by the aforesd. Town Lotts and Lands thereunto adjoining as aforesd. with the Use of the sd. Land for Making and Improving a plantation for the planting and Raising of Corn, etc. (if the aforesd. Master or teacher of sd. School Shall think proper to plant and Improve the same) be entirely for the use and Benefitt of ye sd. Master and his Successors During his and their Good Behaviour,—Also that the sd. Master Shall not be obliged to teach or take under his Care any Schoolar or Schoolars Imposed on him by the Trustees herein Mentioned or their Successors or by any other person, But shall have free Liberty to teach and take

WINWRIGHT'S WILL, 1744.

3

under his care Such and so many Scholars as he shall think Convenient and to Receive his Reward for the Teaching of them as he and the persons tendering them shall agree.

Aug. 13, 1744.

Probated March Court 1744/5.¹

¹ James Winwright lived in Carteret County.

1759

1. FREE SCHOOL IN NEW HANOVER: JAMES INNES' WILL.¹

¹ By "an act for the promotion of learning in the district of Wilmington," the Legislature of 1783 vested in the trustees of Innis Academy the property left by the will of James Innes. See State Records, Vol. xxiv, 511, 984; Vol. xxv, 18-20.

1. FREE SCHOOL IN NEW HANOVER: JAMES INNES' WILL.

In the name of God amen.

I James Innes of Cape Fear in North Carolina in America. Coll of the Regement of sd Province Raised for His Majestys imediate Service and Commander in Chief of this Expedition to the Ohio against the French and there Indeans whoe have most unjustly Invaied and fortified themselves on His Majestys Lands. Who Innes was.

Being now readdey to enter upon action and of Sound minde, memory, and understanding. Do make this my Last Will and Testment in manner and forme following viz.: I recomend my Soul to the Almighty God that gave it, relying on the Merits of Jesus Christ for Mercy att the last day. My Bodie I most freely offer to be disposed off as God in His wise providence shall pleas to direct.

I recommend the paying of all my Just and Lawfull debts instantly, or when demanded. I direct a remittance may be made to Edinburgh Sufficient to pay for a Church Bell for the Parish Church of Cannesby, in Cathness, agreeable to my Letter to Mr. Jams. Broadee Minister thereof. Bequests to be sent to Edinburgh.

I also appoint and Direct that there may be a furdre remittance made of One Hundred Pounds Sterll. for the Use of the Poor of the said Parish of Cannesby. And the Said Summ of One Hundred Pounds to be put to Interest for the use of the Poor of Said Parish, as formerly directed by me.

Property given for
a free school
enumerated.

Management of
the bequest.

Will made at Win-
chester, Virginia,
in 1754.

I also give and bequeth att the Death of my Loving Wife Jean Innes my Plantation called Point Pleasant and the Opposite mash Land over the River for which ther is a Seperate Patent, Two Negero young Woomen One Negero young Man and there Increase, All the Stock of Cattle and Hogs, halfe the Stock of Horses belonging att the time to that Plantation With all my Books, and One Hundred Pounds Sterling or the Equivalent thereunto in the currency of the Country For the Use of a Free School for the benefite of the Youth of North Carolina. And to see that this part of my Will be dewly Executed att the time, I appoint the Colonell of the New Hanover Regement, the Parson of Wilmington Church and the Vestrey for the time being, or the Majority of them as they shall from time to time be choised or appointed. The Residue of my Estate boeth reall and personall I leave to the sole disposeall of my Loving Wife and Companion of my Life Jean Innes whome I appoint to be Sole Executrix of this my last will and Testament, which I desire may be recorded in the Publique Register. In testimoney hereof I have put my hand and Seall this fifth day of July and in the year of Our Lord God One Thousand Seven hundred Fifty and Four. Done att Winchester in Virginia in Presence of us. Signed, Sealled, and published.

JAMES INNES

JOHN CARLYLE
W. COCKS
CALEB GRAINGER.

Probate of the will.

The foregoing last Will and Testament of James Innes Esquire was duely proved before me by the oath of Caleb Grainger who made oath on the holy Evangelists that he saw and heard the said James Innes sign seal and publish the foregoing as and for his last Will and Testament in the presence of the said Caleb Grainger John Carlyle and William Cocks who subscribed their respective names as

Evidences thereto in presence of the Testator, who was at the same time of sound and disposing memory and understanding.

Let Letters Testamentary issue hereof to Jean Innes Executrix in the foregoing Will named.

Brunswick 9th Octo. 1759.

ARTHUR DOBBS.

1791

1. CIVIL LIST FOR 1791.

1. CIVIL LIST OF 1791.

The following statement shows the different items of expense of the government of the State for 1791:—

Governor's salary	£ 800
Treasurer's salary	750
Comptroller's salary	500
Secretary of State salary	100
Council, their Clerk and Doorkeeper...	100
Clerk to the Treasury	200
Members of Assembly, Clerks and Door-keepers	12,000
Judges of Superior Courts	3,200
Attorney General and Solicitor, 320 l. each	640
Agents for settling with the U. S....	1,600
Public Printer	500
Incidental expenses of government of every kind the committee estimate at	250
	£ 20,740

—*Estimate of Assembly Committee of Finance, Laws 1790, p. 28.*

1795

1. REV. JOHN ALEXANDER'S WILL.

1. REV. JOHN ALEXANDER'S WILL.

Da Præcepta, Familiæ Tuæ, nam Tu crive moriturus es.

Forasmuch as the last scene of life seems hastening on, and the curtain ready to fall; I think it prudent, before I make my final exit off the stage, whereon I have sometime acted, to dispose of the few trifles fortune has bestowed me, manner following to wit:

Imprimis—I give and bequeath to my two Daughters, Martha and Rachel, all and every part of my property whatever, to be equally divided between them, and to their lawful heirs forever. On the demise of either, before empowered to make a will, the surviving sister inherits the whole.

Should both decease, before the laws capacitate to will, then, my remaining property is to be wholly converted to educating the poor children within the counties of Hertford and Bertie; under such regulations as my executors shall think fit. My body I bequeath to the earth, whence it originated. My Soul, Immortal, and unallied to dust, I commend to the Father of Mercies. The manly, masculine voice of orthodoxy, is no longer heard in our land. Far, therefore, from my grave be the senseless Rant of whining Fanaticism; her hated and successful rival. Cant and Grimace Dishonour the dead, as well as Disgrace the living. Let the monitor within, who never Deceives, alone pronounce my Funeral Oration; while some friendly hand Deposites my poor remains close by the ashes of my beloved Daughter Elizabeth, with whom I trust to share a happy Eternity.

And of this my last will and Testament I Constitute and appoint Captn. George West, George Outlaw, Esqr. and Mr. Edward Outlaw, my Executors—on whose Probity, Honor, and Disintered Friendship I entirely rely for the faithful Discharge of the trust I repose in them—Be-

Thinks it proper to make a will.

Property willed to his daughters.

If daughters should die, then property to be used to educate poor children.

Funeral directions.

Kind of education
to be given his
daughters.

Wishes he could
free his slaves.

seething them, as they would approve themselves to him who is the Father of the Fatherless, to use all possible means of Inspiring my children with a love of virtue, and an abhorrence of vice—Restraining them from all places and persons Dangerous to their virtue or Innocency—Giving them an Education to their rank in life suitable and becoming—Let their books, and their needles be their principal companions and employ. I could wish the laws enabled me to do more for my wretched and unfortunate slaves than that of recommending them to lenity and mild treatment.

Be to their faults a little blind—

Be to their virtues ever kind.

JOHN ALEXANDER.¹

Bertie, Apl. 4 1795.

¹ The above will was probated at August term of Bertie County Court, 1799.

1798

- 1. WARRENTON ACADEMY ASKS STATE AID.**
- 2. DAVID CALDWELL ASKS FOR EXEMPTION OF HIS STUDENTS FROM MILITARY DUTY.**

1. WARRENTON ACADEMY ASKS STATE AID.

The Memorial and Petition of the Trustees of the Warrenton Academy, respectfully,

History of the
incorporation.

SHEWETH,—That in the year 1786 an Act passed in the General Assembly of this State, directing an Academy to be erected and established for the Education of Youth, under the Name, Stile and Title of “The Warrenton Academy”:—At the same Time Trustees were nominated and appointed thereto, and incorporated after the usual Form and with Similar Powers that other Bodies politick and corporate are by Law vested and established: And in Order more effectually to further this Salutary Measure, the aforesaid General Assembly authorized and empowered the Trustees of the said Academy to raise by Way of Lottery the Sum of One Thousand Pounds Currency, to assist in defraying the expense of Buildings and other Contingences. Your Memorialists beg leave to represent, that altho’ much Pains were taken to carry the said Lottery into effect, yet they proved abortive, as the Number of Tickets contained therein could not be disposed of within the limited time; of Course no publick aid has been virtually given to this laudable Institution; which Independant of so great a disappointment, has through the means of private donations and individual exertions flourished with great Reputation upwards of Ten Years. Your Memorialists mean not to raise any Competition with similar Institutions. They know their value, and how justly they deserve encouragement:—Yet they venture to affirm none has been more eminently useful, nor is any one better calculated to promote the desirable purpose of preparing Youth for our State Seminary:—A circumstance they humbly conceive that cannot fail of attracting Attention, and inducing Consent to their present prayer.

Lottery authorized
in 1786 proved
abortive.

Individual dona-
tions supported
school for ten
years; prepares
students for the
University.

Buildings much
decayed; appa-
tus.

The Building of the Academy is in so decayed a state

that it cannot be repaired to be made fit and suitable for the reception of the Number of Students who wish to resort there. Your Memorialists with great deference further represent, that the Institution is already furnished with a great variety of Mathematical and Philosophical apparatus, all of which were obtained through the repeated exertions of liberal Individuals, and some small private donations. Those resources are now exhausted, and the Institution needs publick patronage. To whom then can they so properly apply, as to the Representatives of a Free People, who know the value and beneficial Consequences resulting from an early Education? They are the more emboldened to do so, from a Hope and Belief that the Present General Assembly being animated with a Zeal to cherish every useful Institution any former one thought proper to establish, will, after this Representation made to them of the existing State of the Warrenton Academy, direct such Aid from the Treasury as in their Wisdom they deem meet.

Aid from State
treasury asked.

And your petitioners will pray, etc.

J. G. BREHON, Chairman.

In House of Commons 4 December 1798 read and referred to the Committee on Finance.

Clerk's entry on
memorial.

The Committee on Finance to whom was referred the Memorial of the Trustees of the Warrenton Academy, requesting a Donation from the General Assembly to enable to erect buildings &c.

Aid refused.

REPORT,

That the State of our finances will not authorize granting the said Donation; They, therefore, recommend that the Trustees aforesaid, have leave to withdraw their Memorial.

—*From Unpublished Legislative Documents, 1798.*

2. DAVID CALDWELL ASKS FOR EXEMPTION OF HIS STUDENTS FROM MILITARY DUTY.

To the Honourable the General Assembly,

The Petition of your Petitioner, humbly sheweth,

Course of study in his school.

That your petitioner hath attended a small seminary in Guilford, in which was taught the latin and greeck languages, and also the sciences. He flatters himself, that he met with the approbation of those who trusted their youth to his care.

Exemption asked.

He petitions your honorable Body that the students under his care may not be forced from their Studies by any law of the State, except in case of an invasion. Your compliance will oblige a number of Gentlemen, at some distance and your petitioner, as in Duty bound shall ever pray.

D. CALDWELL.

Nov. 16 1798.

—*Unpublished Legislative Documents, 1798.*

The Committee to whom were referred the revision of the Militia laws,

REPORT,

Committee recommend granting the exemption asked.

That they have taken into their consideration the bill granting certain privileges to the seminary of learning in the County of Guilford. That they recommend to your Honourable Body to pass the said Bill into a law after substituting the amendment marked A herewith submitted after the caption of said Bill.

ROBERT IRWIN, Chm.

In Senate Dec. 2, 1798, read and concurred with.

BENJ. SMITH, Spk.

—*Legislative Documents, 1798.*

An Act granting certain privileges to the Seminary of learning in the county of Guilford.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That from and after the passing of this act, the students who now are or hereafter may be in the seminary of learning in the county of Guilford, under the direction of the Rev. David Caldwell, shall enjoy and exercise all the privileges and immunities that students in any chartered seminary in this state have by their charters heretofore granted, a right to possess and enjoy; anything to the contrary notwithstanding.

The law making
the exemption.

—*Laws 1798, chap. XCV.*

1800

- 1. CENSUS OF NORTH CAROLINA COUNTIES.**
- 2. EDUCATIONAL CONDITIONS.**

1. CENSUS OF NORTH CAROLINA COUNTIES.

<i>Morgan Dist.</i>	White.	Other Free.	Slaves.	Total.
Burke	9,103	52	826	9,929
Buncombe	5,465	34	347	5,812
Lincoln	11,137	18	1,523	12,668
Rutherford	9,681	13	1,072	10,753
Wilkes	6,457	64	790	7,247
Ashe	2,698	55	85	2,783
	44,305	236	4,643	49,184

<i>Salisbury Dist.</i>				
Rowan	17,221	35	2,839	20,060
Guilford	8,537	40	905	9,442
Rockingham	6,644	116	1,633	8,277
Surry	8,500	21	1,005	9,505
Stokes	9,587	63	1,439	11,026
Iredell	7,348	17	1,508	8,856
Cabarrus	4,395	2	699	5,094
Montgomery	6,304	20	1,373	7,677
Mecklenburg	8,451	15	1,988	10,439
	76,987	329	13,389	90,376

<i>Hillsborough Dist.</i>				
Orange	12,797	116	3,565	16,362
Randolph	8,327	202	907	9,234
Wake	9,196	324	4,241	13,437
Caswell	5,913	26	2,788	8,701
Person	4,320	123	2,082	6,402
Granville.....	7,909	329	6,106	14,015
Chatham	9,052	102	1,809	11,861
	56,583	1,222	22,498	80,303

CENSUS OF NORTH CAROLINA.

<i>Halifax Dist.</i>	White.	Other Free.	Slaves.	Total.
Halifax	6,706	635	7,239	13,945
Nash	4,379	143	2,596	6,975
Warren	5,272	136	6,012	11,285
Franklin	4,831	0	3,698	8,529
Edgecombe	6,516	106	3,905	10,421
Northampton	6,144	539	6,209	12,353
Martin	3,840	183	1,786	5,629
	37,691	1,742	31,445	69,136
<i>Edenton Dist.</i>				
Chowan	2,659	67	2,473	5,132
Perquimans	3,688	61	2,020	5,708
Pasquotank	3,624	234	1,755	5,379
Camden	3,021	26	1,170	4,191
Currituck	5,398	114	1,530	6,928
Gates	3,193	82	2,688	5,881
Hertford.....	3,837	415	2,864	6,701
Bertie	5,737	203	5,512	11,249
Washington	1,661	63	761	2,422
Tyrrell.....	2,536	13	859	3,395
	36,354	1,298	20,632	56,986
<i>Newbern Dist.</i>				
Craven	6,084	328	4,161	10,245
Jones	2,390	64	2,949	4,339
Carteret	4,481	108	918	5,399
Hyde	3,425	46	1,404	4,829
Beaufort	4,198	190	2,044	6,242
Pitt	6,199	32	2,885	9,084
Greene	2,722	27	1,496	4,218
Lenoir	2,479	55	1,526	4,005
Wayne	4,784	84	1,988	6,772
Johnston	4,538	34	1,763	6,301
	40,300	968	20,134	60,434

CENSUS OF NORTH CAROLINA.

21

<i>Wilmington Dist.</i>	White.	Other Free.	Slaves.	Total.
New Hanover ...	3,002	94	4,058	7,060
Brunswick	2,496	163	1,614	4,110
Bladen	4,729	153	2,299	7,028
Duplin	4,932	55	1,864	6,796
Onslow	3,809	0	1,814	5,613
	18,968	464	11,649	30,167
<i>Fayetteville Dist.</i>				
Cumberland	6,541	119	2,723	9,264
Moore	4,159	31	608	4,767
Richmond	4,748	25	875	5,623
Anson	6,856	131	1,290	8,146
Robeson	5,841	341	998	6,839
Sampson	5,007	137	1,712	6,719
	33,152	784	8,206	41,358

—From *Raleigh Register*, Nov. 15, 1802.

2. EDUCATIONAL CONDITIONS.

Only three classical schools in 1794.

Praise for Caldwell's school.

Course of study.

Dearth of books on history and literature.

Books which gave Murphey a taste for reading.

Before this University went into operation, in 1794, there were not more than three schools in the State, in which the rudiments of a classical education could be acquired. The most prominent and useful of these schools was kept by Dr. David Caldwell, of Guilford County. He instituted it shortly after the close of the war, and continued it for more than thirty years. The usefulness of Dr. Caldwell to the literature of North Carolina will never be sufficiently appreciated: but the opportunities of instruction in his school were very limited. There was no library attached to it; his students were supplied with a few of the Greek and Latin Classics, Euclid's Elements of Mathematics, and Martin's Natural Philosophy. Moral Philosophy was taught from a syllabus of lectures delivered by Dr. Witherspoon in Princeton College. The students had no books on history or miscellaneous literature. There were indeed very few in the State, except in the libraries of lawyers who lived in the commercial towns. I well remember, that after completing my course of studies under Dr. Caldwell, I spent nearly two years without finding any books to read except some old works on Theological subjects. At length I accidentally met with Voltaire's history of Charles the twelfth of Sweden, an odd volume of Smollett's Roderic Random, and an abridgment of Don Quixote. These books gave me a taste for reading, which I had no opportunity of gratifying until I became a student in this university in 1796. Few of Dr. Caldwell's students had better opportunities of getting books than myself; and with these slender opportunities of instruction, it is not surprising that so few became eminent in the liberal professions. At this day, when libraries are established in all our towns, when every professional man, and every respectable gentleman, has a collection of

books, it is difficult to conceive the inconveniences under which young men labored thirty or forty years ago.

From an "Oration delivered in Person Hall, on Wednesday the 27th June, 1827—under the appointment of the Dialectic Society—by the Hon. Archibald D. Murphey, and published by order of said Society."

—*Raleigh Register*, July 24, 1827.

1801

- 1. RALEIGH ASKS STATE AID TO ESTABLISH ACADEMY.**
- 2. NEW BERN ACADEMY ASKS STATE AID.**

1. RALEIGH ASKS STATE AID TO ESTABLISH ACADEMY.

To the Honorable the General Assembly of the State of North Carolina:

The petition of the undersigned Inhabitants of the City of Raleigh, and its Vicinity,

SHEWETH, That your Petitioners, fully impressed Need of a school in Raleigh. with the importance of affording the Means of Education to the Rising Generation and lamenting the want of an Academy at the Seat of Government of this State (a Place in their opinion particularly adapted for such an Institution) in which Youth of both Sexes, might be taught, at least, the most useful branches of Learning, instead of sending them to a Distance to be educated, as at present Parents and Guardians are under the Necessity of doing: And your Petitioners being also in need of a commodious room or Rooms in which to hold meetings of a public nature, on various occasions, they pray your honourable Body that you will be pleased to favor the Undertaking they have in view of establishing such a Seminary, and of erecting such Public Buildings, by granting unto them, Ask for a lot. as a Scite for this purpose, one of the public Squares of the said City; and if your Petitioners might be permitted to designate that which appears to them most convenient for the Occasion, they would name Burke Square, situate in the North Eastern Part of the City, as the most eligible.

Should your Honourable Body be pleased to grant the Prayer of your Petitioners, it is their Intention to have made immediately a Plan and estimate of the contemplated Buildings, and to open a subscription, in order to raise the necessary funds for the erection of the same, which they

have no doubt will be cheerfully entered into by the inhabitants of the City and Neighborhood generally.

And your Petitioners will ever pray.

Raleigh, Nov. 1801.

Signers to the
petition.

H. POTTER.	R. PHIPPS.
B. WILLIAMS.	JOSHUA SUGGS SEN.
WILL. POLK.	J. PEACE.
WILL. WHITE.	WILLM. SHAW.
WM. ARMSTRONG.	WILLIAM BOYLAN.
ROBERT FLEMING.	H. H. COOKE.
SOUTHY BOND.	JOHN HOGG.
JOHN ROBATEAU.	THEOL. HUNTER.
JOHN POWERS.	JO. GALES.
M. DILLARD.	R. DAVISON.
WILLIE JONES.	C. MASSENBURG.
LEWIS GREENE.	R. WILLIAMS.
J. MARSHALL.	CHARLES PARRISH.
JAMES MEARS.	D. McKEITHEN.
G. GUTHRIE.	JOHN PORTER.
S. HAYWOOD.	WM. H. HAYWOOD.
JOHN INGLES.	D. CASWELL.
WM. GLENDENING.	H. W. AULD.
S. WHEATON.	WM. HILL.
WM. PEACE.	JOHN HAYWOOD.

—*Unpublished Legislative Documents, 1801.*

An Act to establish an Academy in the city of Raleigh.

The act making
donation.

Whereas the establishing public Seminaries of learning for the purpose of educating Youth, is essential to the happiness and prosperity of the community, and therefore highly worthy of legislative attention:

Trustees.

I. That John Craven, William White, Sherwood Haywood, Theophilus Hunter, John Ingles, Nathaniel Jones (White Plains), Matthew McCullers, William Hunter,

Simon Turner, Samuel High, Joseph Gales, John Marshall, William Boylan, and Henry Seawell, Esquires, shall be and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of "The Trustees of Raleigh Academy."

* * * * *

V. That the public square of land lying and situate ^{The lot.} in the city of Raleigh, and distinguished in the plan of said city by the name of "Burk Square," be and the same is hereby granted to the Trustees of the said Academy, and their successors, for the express purpose of erecting their Academy and other buildings thereon, and shall have absolute right and property therein, to all intents and purposes, as fully and amply as bodies politic and corporate can and may have. *Provided nevertheless*, that they shall have no power or authority to sell, or in any manner dispose of the said public square.

—*Laws of North Carolina, 1801.*

2. NEW BERN ACADEMY ASKS STATE AID.

To the Honorable the General Assembly of the State of North Carolina The Petition of the Trustees of New Bern Academy, Humbly Sheweth,

School house
burned some years
ago.

Donation asked of
150 pounds.

That your petitioners had the misfortune to have the School-house belonging to the said academy burnt down some years ago and not having sufficient funds to rebuild the same, were at a loss for some place as a School House, and when the Palace Lots were sold your Petitioners purchased a part of a lot in the said square which the part of the kitchen stood for the purpose of making a temporary school house until they should have it in their power to build a new Academy, for which they gave two hundred and twenty-five pounds, and entered into two bonds for the same, one for 75 pounds payable in one Year and another for 150 pounds payable in two years. Your petitioners took up and paid the first Bond when it became due, the other still remains in the hands of the Comptroller unpaid. Your Petitioners further state that their funds are not more than is necessary to employ proper teachers in the said Academy, and if they are obliged to pay up the said bond it would prove very injurious to the institution, which has proved extremely beneficial and advantageous to the town and country around by affording the means of education to a Number of Children, and the sum, (it being only one hundred and fifty pounds) is no object to the Public. Your Petitioners therefore pray that your Honorable Body will take the same into your serious consideration and direct the Treasurer to cancell their second bond remaining unpaid as aforesaid, and your Petitioners as in Duty bound will ever pray.

For and in behalf of the Trustees of Newbern Academy.

GEORGE ELLIS, Treasurer.

—*Legislative Documents, 1801.*

The Committee of propo. and Grievances No. 1. to whom was referred the petition of the Board of Trustees of Newbern Academy

REPORT,

That in the opinion of your Committee it would be improper to grant their prayers, therefore, recommend the same be rejected.

Submitted,

JOHN MOORE, Chm.

In the House of Commons, 11 Dec. 1801.

Resolved, that the House do concur with this report.

In Senate 11 Dec. 1801, the foregoing report was read and concurred with.

Whereas it appears to this General Assembly that the Trustees of the Newbern Academy became purchasers of a certain lot of land, being part of the palace square in the town of Newbern, for the purpose of a temporary Academy, which sold for the sum of £225,—one-third of which sum has been paid by the Trustees, into the Treasury of the State at the time it became due, and the other two-thirds, to wit £150—being still due and owing by the said Trustees, who are desirous of building an Academy in order to promote to the uttermost of their power, the benefits that ought to be derived from that Institution by the rising generation; and their funds not being adequate to the object contemplated, and to make immediate payments of the said Bond, and that a suspension of the demand of the public for the amount of the said bond would the better enable them to proceed in this undertaking—

Report of committee recommends three years' indulgence on the bond of trustees.

Resolved, that the Treasurer be directed not to bring suit against them until three years shall have expired from this date and that they shall have the use of the said sum of £150 free from Interest for the aforesaid term of time.

Clerk's entry: Rejected.

Rejected.

—*Legislative Documents, 1801.*

1802

- 1. GOV. WILLIAMS' MESSAGE ON EDUCATION.**
- 2. JOSEPH GRAHAM'S PLAN FOR MILITARY ACADEMY.**

1. GOV. WILLIAMS' MESSAGE ON EDUCATION.

I recommend that you take into consideration the importance of facilitating our inland navigation, and the still greater importance of providing, through adequate and suitable means, for a general diffusion of learning and science throughout the State. Through the accomplishment of the first, we shall add to the respectability and increase the wealth of the State, as well as do away, in a great degree, with that unpleasant and unseemly state of things which renders us, at present, necessarily dependent on our sister states for markets and for merchandisc. And in consequence of the attainment of the other, a far more estimable end, independent of other important and interesting considerations, we may reasonably indulge the fond and flattering hope, that our posterity will be enabled at all times, and on all occasions, duly to appreciate and properly understand and defend, their natural civil and political rights: In fine, that with enlightened minds, and the consequent love of freedom, they will never cease to be free.

The general diffusion of learning and science recommended.

Education will enable the people to appreciate their civil and political rights.

—*From the House Journal, 1802.*

¹This is the first mention of education in Governor's message after 1776.

2. JOSEPH GRAHAM'S PLAN FOR MILITARY ACADEMY.

Plan laid before
the House.

Thursday, Nov. 18, 1802. The Speaker laid before the house the address of Joseph Graham, with the plan of a Military Academy, submitted to the consideration of the Legislature.

—*House Journal*, 1802, p. 6.

Friday, Nov. 19, 1802. Received from the House of Commons the following message:

Action of the Sen-
ate; committees
appointed.

Mr. Speaker:—The address of Joseph Graham herewith sent, on the subject of a military academy, we propose shall be submitted to a joint committee; and have appointed on our part, Mr. Moore, Mr. Calvin Jones, Mr. Strudwick, Mr. Scull and Mr. Cooke.¹

The foregoing being read, it was *Ordered*, That the following message be sent to the House of Commons:

Mr. Speaker:—We agree to refer the address of Joseph Graham on the subject of a military academy to a joint committee as by you proposed; and have for this purpose on our part appointed Mr. Turner, Mr. Carney and Mr. Ashe.²

—*Senate Journal*, 1802, p. 6.

Plan printed;
thanks.

Resolved, That the thanks of this General Assembly be presented to Joseph Graham, Esq. of Lincoln County, for his plan of a military academy submitted to the consideration of this Legislature, and that this resolution be annexed to the different copies directed to be printed of said plan for the information of the citizens of this State.

—*House Journal*, 1802, p. 61.

¹ House Committee: John Moore, Lincoln; Calvin Jones, Johnston; William F. Strudwick, Orange; Henry H. Cooke, Wake; John G. Scull, Brunswick.

² Senate Committee: James Turner, Warren; Stephen W. Carney, Halifax; Samuel Ashe, New Hanover.

THE PLAN.

1. That the Governor, for the time being, and the General Officers of the Militia, be perpetual Trustees of the Academy; that they will visit it from time to time, and assist in directing such arrangements as will best promote the purposes thereby intended, and they be authorized to contract with and employ, either in the United States or Europe, a person suitably qualified to carry into effect the following plan of instruction and superintendence of the Academy; and that that person be allowed such pay and rank as will procure one of respectability in his profession.

Trustees of
Academy.

2. That the justices of the peace, and commissioned officers of the militia in each regiment, who may be present at the court that will be held in their county, after the first day of July in each year (due notice thereof being given) proceed to elect, by ballot, a young man between the age of sixteen and twenty-five years, of a robust constitution, promising genius and good character, who can write a good hand, and compose tolerably well, understands arithmetic and geography, and who resides and will probably continue to reside within the bounds of said regiment.

Cadets to be chosen
by counties.

3. That on a return being made of the persons elected in such regiment, the first time, to the General of Division, they shall divide them by lot into four classes, as nearly as may be. The first class to commence on the first day of January following the election; the second class on the first day of April, and the others in rotation, to commence quarterly. Each class to attend one year, from the time of their commencement, except such time as may be appointed for vacation.

Classes.

4. That such provision be made by law for their support and emolument, as will indemnify them while in service, and such as will, together with the prospect of

Support of cadets.

future promotion, induce young men of the first respectability to offer at the election.

Duties of those who complete the course.

5. That every young man who shall serve with reputation for one year and have been instructed in the different branches taught in said Academy, shall have a certificate thereof, signed by the President or Instructor and receive a Brevet from the Governor, and a Sword and full suit of Regimentals, at the expense of the State; and on returning home to his regiment, he shall be considered as Adjutant thereof, until he receives a commission of higher grade. And when more than one such person is educated for each batallion, on the days of regimental or batallion musters, the Field Officer will appoint them such duties as will render the most assistance in exercising and manœuvring the regiment or batallion; and in two years after the commencement of the institution, it shall be understood that the General Officers are limited to persons thus instructed, in the appointment of their Aids, Brigade-Majors or Inspectors, and generally, all appointments in the Staff Department.

6. It is proposed before every regimental or batallion muster, that the officers, non-commissioned officers, and musicians, be compelled to attend and be instructed by the Adjutant, such time as will be thought proper. There are in North Carolina sixty counties, in each of which is one regiment; and about twenty counties have two, making in the whole about eighty regiments, which divided into four classes, will make twenty to each class, or thereabouts.

PLAN OF INSTRUCTION.

FIRST CLASS.

Only military training.

It is proposed to teach this Class the Manual Exercise (for which purpose, muskets and bayonets ought to be provided), the keeping of their arms and accoutrements in proper order, the firing, facing, marching, wheeling,

and whatever may be performed by a single platoon; the duty of sentinels on guard, the duty of guards in mode of relieving, the manner of going and relieving the rounds, the duty of patrols, and generally, whatever may relate to the duties of the private soldier, non-commissioned officers and musicians, forms of company returns when in service, whether for provisions, arms, clothing, pay, or descriptive lists.

As so much depends on accurate knowledge of the Platoon Exercise, and the duty of non-commissioned officers and soldiers, it is thought the first three months will be time short enough to learn these duties. And let it also be remembered, that in an army of 20,000 men, the accuracy with which they change their positions, depends on the precision of the movement of each single platoon, and to have experienced and active non-commissioned officers, is esteemed the soul of an army. It is unnecessary to use arguments to show that an officer, whatever his grade may be, ought to know the duty of each subordinate officer, and of the common soldier.

SECOND CLASS.

When this class assembles, the first class will, in addition to the duties, of alternately instructing them what they have been taught learn manœuvring by Regiment or Batallion, not only the evolutions in Steuben's Military Guide, but also some of those in the British System which were not wisely laid aside. And explanations given how they are applied when in actual service; forms of encampment and all such other duties as are performed by a single regiment, either in camp, in garrison, or in the field; forms of Court Martials, and their proceedings; style and manner of distributing the orders; likewise forms of returns made by the Adjutant, and returns and accounts which may be in the Pay Master, Quartermaster, Commissary or Hospital Department. And while in this class

Military instruction extended.

each person should be provided with a well-bound book in order to take down in form, all such returns and accounts and such other matters as are hereinafter mentioned.

THIRD CLASS.

Cavalry instruction added.

This class is to assist in instructing the first and second, and themselves to learn a system of Cavalry Discipline, such as that published by General Davie and sanctioned by the Legislature, or that practiced by Colonels Washington and Lee, as less complex and better adapted to real service in a country which abounds in woods; or perhaps some plan might be devised from them both; the duties of a Partisan who commands legionary corps composed of cavalry and infantry; of ambuscades and secret marches and stratagems usually practiced to surprise an enemy; of reconnoitering and drawing plans of a country supposed to be the seat of war, and inferences drawn showing the advantages you can have by having such plans in anticipating the enemies' movements and regulating your own; of retreating in order in the presence of a superior enemy; drawing plans of the smaller kinds of intrenchments in the field and the manner of fortifying Churches, mills, farms, fords, difficult passes, with the way of defending them. And after these demonstrations are gone through facing about and finding the most practical and best method of attacking and carrying them if in possession of an enemy.

FOURTH CLASS.

Artillery exercise; engineering.

This class is to learn the Artillery Exercise, the use of cannon, carronades, howitz, mortars, etc., and generally (as far as time will permit) the duty of Engineers, and everything learned by the second and third Classes, on a larger scale: such as fortifying and defending villages, cities, encampments of large armies, and the manner of conducting sieges, choice of positions, and science of posts.

And at this stage of the Institution once in three months when the weather suits, for the purpose of instructing them in the duties of the field, the students ought to march out about a fortnight or three weeks through the country, thirty or forty miles distant; which would afford an opportunity of pointing out every advantageous position and what disposition ought to be made were an enemy met in any situation; or if they were found at a ford or other strong position waiting for you by what method you could most easily pass or dislodge them. The use of this kind of exercise will appear obvious. When afterwards traveling by himself, a student can not pass an advantageous position without examining it minutely; and at any place by a glance of the eye, or coup d'oeil (as the French call it) is enabled to judge of the best disposition that could be made of his party in every possible situation.

That a suitable number of Military Books be provided Literary instruction. at the expense of the State and that such arrangements be made of the time of the students so that a part be taken up in reading, writing, and drawing and the other in exercise and recreations. When the Institution is fully in operation it is proposed that the students be divided into small companies and that those in the fourth class act as officers in rotation; which will not only habituate them to teach but save the expense of employing other instructors. The most exact subordination to be observed and good morals be inculcated and enforced. All kinds of Gambling to be forbidden. gaming to be prohibited except such athletic exercises as tend to invigorate the constitution and for obvious reasons the game of chess; but even these to be admitted as pastime and not with a view of gain.

That such regulations be established as will prevent Duelling to be prohibited. Duelling and render the proposers, aiders and abettors thereof disgraceful; and that a Court of Honor be composed out of the third and fourth classes for the adjust-

ment of all differences, such as proposed by Mr. Paley for the Army.

Food regulations.

In order to pay a due regard to economy and prevent the students from acquiring habits of luxury and effeminacy so destructive to the military character, it is proposed that rations be provided and regularly issued; that for the first and second classes a cook be allowed for every four; and that the third and fourth classes be allowed subalterns' rations and a cook be allowed for every two. No slave or person of color to be admitted as cook or waiter in the Institution*; but free men enlisted for the purpose, which by increasing the number when manœuvring will enable the instructor with more ease to demonstrate the more extended operations of an army. Also if the proposed Penitentiary Law should pass would it not be policy to have them in the vicinity of it in order to do such actual military duty as might be needed?

That no student be permitted to board in the neighborhood or fare otherwise than according to the rules of the Institution, while in health.

Prudence in command to be taught.

As the persons instructed are expected to command free citizens, who have not been habituated to subordination (so essentially necessary to give energy and effect to military operations) that they may be instructed on first being vested with command of new troops to proceed with the greatest delicacy and prudence, giving no orders but what every intelligent soldier will see the necessity of, and when they give them, to do it in a firm, decided yet unostentatious manner, and see that they are promptly executed; and in case of disobedience to punish the delinquent in such way as prudence will suggest and authority justify; whatever complaints may be made on such occasions such conduct tends to promote the service and will meet the support and approbation of a large majority who are well disposed and attached to order.

* Lest you educate a Toussaint L'Overture.

That they may be instructed to pay the profoundest respect and exact obedience to the Civil authorities and that to be orderly members of civil society and humane to a vanquished enemy are reputed the concomitants of true honor and genuine bravery. That if ever they are engaged in war they endeavor to carry it on with as much lenity as is consistent with the state of hostility and agreeable to the rules which humanity formed and the example of the most civilized nations recommend; that all kinds of cruelty or ill-treatment of prisoners, or citizens or waste of property that has no tendency to weaken the resisting force is to be avoided as ungentlemanly and fix an indelible stain on the arms of the troops guilty of such conduct.

Obedience to be
Inculcated.

SOME OBJECTIONS ANTICIPATED.

It may be observed that since the peace in 1783 our political horizon has been so clear, not the least prospect of war in any quarter with the United States; why then should we be at the trouble and expense of establishing such an Institution; however advantageous it might be at another time at present our circumstances do not appear to require it.

It is admitted that at no period since the Revolution were our prospects of peace so bright, but the greatest man our country has produced has told us: "that a time of peace is the time to prepare for war"; then surely it is more necessary to qualify a suitable number of scientific officers to command us than to store up naval materials, fix arsenals and provide other military stores. If this plan should be adopted the benefits resulting from it would not place us in a position to encounter difficulties sooner than eight or ten years from the time of its commencement and until a respectable number of those instructed should be promoted to the grade of field officers and some generals; as it is presumed they will be after they leave the Academy. If their conduct appears to merit it they will generally be

Time to put plan
in operation.

promoted in case of vacancy, and when there are six or eight to a regiment of persons so instructed, if called into service, of a few weeks, they will transform the whole militia into a formidable and tolerably regular army, when commanded by such officers; and notwithstanding the fair prospects at present, before ten years hence we may be involved in the most perilous situation.

Will not always
have peace.

War is often produced by the most trifling incidents and arises from causes which no political sagacity can foresee. Of this history furnishes many examples. We have enjoyed peace for twenty years; that it should continue so long again we can scarcely expect. I believe that for the last century no nation in Europe has enjoyed peace for forty years at one time. What reason have we then to flatter ourselves that we shall always continue in our present happy condition and make no preparation to meet adverse fortune? On the article of expense let us compare the advantages resulting from the measure with the danger of neglecting it. I should not be charged with exaggerating to suppose that before twenty years hence the lives of ourselves, of our children, the security of our property, nay perhaps even our political existence as a free people might depend upon the military knowledge of those who command us in the field. Shall we then toil to acquire property? Shall we expend considerable sums every year in forming salutary laws to regulate this property and protect our persons? Shall we be so anxious to preserve our excellent constitutions and the greatest privileges ever enjoyed by a nation; and are we to hold this and everything dear to us on so precarious a tenure as the protection afforded by our militia as at present trained?

Expense of plan
much less than
advantages in case
of war.

Surely any reasonable expense would bear no proportion to the probable advantage in case of war. In private life we find it is necessary to expend a part of our property to render the other part valuable to us. What would we think of a farmer who would manure his land, work it

well in the proper season and pay no attention to his fences, but suffer them to rot and his crop to be destroyed because it would take some money to employ some person to make rails enough to make a good fence? Would we say he acted prudently or wisely in saving his money or that he was a good economist? In a national view, the parallel will apply with equal force.

Whatever may be your decision on these propositions the undersigned is not a cent gainer or loser more than the rest of his fellow citizens; but finding those, whose business it is, neglecting to bring forward anything that will remedy our defects in discipline; and being impressed with the necessity of something being done, and solicitous that our government be preserved to the latest ages in its present happy form; and anxious that if ever his country should be engaged in war, the lives of his fellow citizens and the cause of his country should not fall a sacrifice to the ignorance of those who should command, he has deemed it a duty respectfully to offer his thoughts on this subject.

No personal interest in the plan.

I am, gentlemen, with the highest respect and esteem,
your most obedient, humble servant,

JOSEPH GRAHAM.

Vesuvius Furnace, August 25, 1802.

—*From Gen. Joseph Graham and his Revolutionary Papers, pp. 127 et seq.*

1803

- 1. GOV. TURNER'S MESSAGE ON EDUCATION.**
- 2. DUDLEY'S BILL TO ENCOURAGE ACADEMIES.**
- 3. O'FARRELL'S BILL TO ESTABLISH ACADEMIES IN EACH COUNTY.**

1. GOV. JAMES TURNER'S MESSAGE ON EDUCATION.

As the most certain way of handing down to our latest posterity, our free republican government, is to enlighten the minds of the people, and to preserve the purity of their morals, too much attention can not be paid to the education of youth, by promoting the establishment of schools in every part of the State. Education is the mortal enemy to arbitrary governments, and the surest basis of liberty and equal rights.

Education the foe
of tyranny and the
surest basis of
liberty.

—*House Journal, 1803.*

2. DUDLEY'S BILL TO ENCOURAGE ACADEMIES.

District academies
proposed.

A Bill to vest in the different Superior Court Districts of the State such property as may escheat to the State, for the purpose of supporting and encouraging, a seminary or seminaries of learning in each District in this State and for other purposes.

One-half of
escheated property
to be paid to cer-
tain academies.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that in future all sum or sums of money that shall be collected from the sale of such property as have heretofore escheated to the State, One moiety of such sums shall be paid to the trustees of the University of the State of North Carolina, for the purpose of finishing and completing the buildings of the aforesaid University.

And be it further enacted by the authority aforesaid that the moiety of such property as have heretofore escheated shall be paid in equal portions to the trustees of such seminaries of learning as are already or may hereafter be established in each Superior Court District in this State for the purpose of supporting such seminary or seminaries, in such Superior Court Districts.

Future escheats to
go to the acade-
mies.

And be it further enacted by the authority aforesaid, that all property which may hereafter escheat to the State and after the passing of this act shall be vested in the different Superior Court Districts in which such property may escheat; the monies arising from the sale thereof shall be applied for the sole use and benefit of the seminary or seminaries, within said District by the Trustees thereof.

Each county to
have its share.

And be it further enacted, that where there is at this time no seminary of learning established in the District in which said property may escheat, the monies arising from the sale thereof shall vest in, and be considered wholly belonging to the different counties composing said District by an equal distribution, among the respective counties

thereof—under such rules and regulations and be applied in the manner which the County Courts may direct.

And be it further enacted, that there shall be appointed Escheat officer in each district. a proper person in each District in this State a Commissioner of escheated property where the same has not been done by an act of the last General Assembly and the person so appointed shall give bond and security, in the manner which is now required by law; and such appointments shall be made from time to time as may be found necessary, by joint ballot of the General Assembly.

And be it further enacted that all Acts and clauses of acts which come within the meaning of this act be and the same is hereby repealed and made void.

In Senate Decem. 21st 1803. Read the first time and Clerk's entries on bill; its failure. passed.

In House of Commons 21 Decr. 1803 read the first time and rejected.

—*Unpublished Legislative Documents, 1803.*

3. O'FARRELL'S BILL TO ESTABLISH ACADEMIES IN EACH COUNTY.

One academy in each county.

A Bill to establish an Uniform and general system of Education throughout the State of North Carolina.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that from and after the passing of this act, there shall be an academy established in each county in this State, to be called the academy of Sciences of the county of

Course of study ;
no dead languages;
French may be
taught.

SEC. 2. That the course of education to be established in said academies shall consist of the study of the English language, writing, arithmetic, Mercantile book keeping, geometry, trigonometry, mensuration or surveying, navigation, geography, natural and experimental philosophy and the laws of North Carolina. That the study of the dead languages as being useless in a republican government and a great waste of time, shall form no part of the course of education of the academies of Sciences. That the study of the French language would be very useful and ornamental to the citizens of this State, therefore, when the funds of the academy of sciences of any county will admit of the expense, a teacher of that language should be added.

Trustees.

SEC. 3. That the Justices of the Peace and Field Officers of each county with such persons as the court shall from time to time think proper to appoint shall form a body politic by the name of the trustees of the academy of Sciences of the county of

Corporate powers.

SEC. 4. That they shall have perpetual succession and a common seal, may sue and be sued in any court of law or equity in the State or elsewhere, that they may receive donations of lands, houses or other property, buy land, agree with workmen for the building and repairing of houses, fix the salaries of teachers, the sum that each

scholar will have to pay annually, and also every other thing necessary to the good government of the said academies.

SEC. 5. That all landed property acquired by the academy of Sciences of any county by donation or purchase shall remain attached to the said academy forever, and be rented out from year to year, for the use of said academy to the highest bidder. *Provided nevertheless*, that any property given for a particular purpose, shall be applied to the use, and in the manner ordered by the will or deed of the giver. Management of landed property.

SEC. 6. That one-third of the trustees of the academy of Sciences of any county, assembled at the court house of said county or elsewhere by adjournment, shall have power to make laws and regulations for the government of said academy, appoint a treasurer and other officers. Quorum of Trustees.

SEC. 7. That in any county where the trustees of the academy of Sciences of said county, shall have neglected to act in their corporate capacity, the court of that county shall receive and appropriate all donations made to the academy of Sciences of that county. Court to act when trustees fail.

This act shall commence and be in force from and after the passing thereof.¹

In House of Commons 10 Decr. 1803 read the first time and passed. Clerk's entries: failure of the bill.

In Senate 10 December 1803, read the first time and passed.

In House of Commons 13 Decr. 1803 read the second time and rejected.

—*Unpublished Legislative Documents, 1803.*

¹This bill makes no provision for any certain revenue for the support of the academies.

1804

- 1. GOV. TURNER'S MESSAGE ON EDUCATION.**
- 2. "SENTINEL" ON EXTRAVAGANCE.**

1. GOV. JAMES TURNER'S MESSAGE ON EDUCATION.

It is a truth founded on the experience of the age, that knowledge is one of the firmest pillars of national strength; and believing that nothing would tend more to the adornment of the character and respectability of this state, than a general diffusion of learning, I am desirous of seeing a plan of education introduced, which shall extend itself to every corner of the state. It is true that many respectable academies have been instituted in different parts of the state; but it is also true, that several of them have failed for the want of sufficient support, and others are in a languishing state. Since the prosperity and happiness of a nation depends so much on the education of its citizens, individual exertions ought to be seconded by public patronage. Were this the case, our schools would be placed on a solid foundation; and the children of the poorest citizens might have access, at least, to necessary instruction. The best method of effecting this desirable end, will be devised by the General Assembly. It cannot, I know, be accomplished without an addition to our revenue; but certainly every citizen will be willing and desirous to contribute towards an expense so well applied.

Desires to see a plan of education introduced.

Prosperity and happiness depend on education; State ought to aid the efforts of individuals.

Will require additional revenue.

—*House Journal, 1804.*

2. "SENTINEL" ON EXTRAVAGANCE.

To the Citizens or Electors of the Legislature of North Carolina.

Sees disaster in the increasing salaries of members of the Legislature.

I think it is time to awake and open your eyes of understanding, and see the approaching bane of distress in its tender bud, before it gets a strong root.

If I am rightly informed, what has ruined monarchical and republican governments, has been extravagancy; the means of heavy taxes—and I think our State is making some progress in that road of destruction.

I am informed our Legislature, at their last session, allowed each member per day for his attendance, thirty shillings. A member's wages, when we were under his Britannic majesty's government, was seven shillings and six pence per day, and a dollar was worth eight shillings.

Details of the increase in salaries; asks the people to vote against those responsible for increase.

The progress of our Legislature respecting their wages, since peace was proclaimed between Great Britain and the United States of America has been as follows, viz.: Their first allowance was twenty shillings per day, and a dollar was then worth twelve shillings; their next rise was to twenty-five shillings, and our currency had appreciated to ten shillings a dollar; and their next rise was, as above inserted, to thirty shillings.

Fellow citizens, I think it is time to be alarmed, and shew our resentment, and to reject, at our next election, every man who voted in favour of thirty shillings, or perhaps at the next assembly they will allow each member thirty-five shillings per day.

SENTINEL.

[The name of the author of the above is left with the Printer.]

—*From Raleigh Register, May 7, 1804.*

1805

1. GOV. TURNER'S MESSAGE ON EDUCATION.

1. GOV. TURNER'S MESSAGE ON EDUCATION.

Asks that some general and effective plan of education be adopted.

Schools can not flourish if left to individual effort alone.

But more especially, let me again recommend to the serious consideration of the General Assembly the proper education of the youth of the State, upon some plan that shall be general and effective, whether by affording some uniform support to one or more well regulated school or schools in every county in the State, after the example of our sister State South Carolina, or in some other adequate mode, is submitted to your wisdom. It is evident that the situation of our State in this respect calls for legislative aid; for though it must have given pleasure to every friend of science and good government, to observe of late years schools springing up in many parts of our country, yet it must also have pained him to see that when left to the support of individual patriotism alone, they have too frequently languished and sunk for want of competent patronage and well-qualified Teachers. Under the protection of government, it is presumed, those fundamental institutions in which our youth would not only be taught the elements of useful knowledge but the principles of virtue, and on which perhaps depend the future prosperity, happiness and freedom of the State, would be completely upheld.

—*From Message to Assembly, 1805, House Journal.*

1806

1. GOV. ALEXANDER'S MESSAGE ON EDUCATION.

**1. GOV. NATHANIEL ALEXANDER'S MESSAGE ON
EDUCATION.**

Infinitely impor-
tant that the peo-
ple be enlightened.

Permit me, gentlemen, to call your attention generally to those objects, the proper management of which is calculated to secure our liberties, our personal happiness, and the wealth and respectability of the State.

On the subject of education, little can be said which has not been said already by my predecessor. But I will take the liberty to observe, that in a government constituted as ours, where the people are everything, where they are the fountain of all power, it becomes infinitely important that they be sufficiently enlightened to realize their interests, and to comprehend the best means of advancing them. Indeed, it may be affirmed with truth, that unless they be informed the duration of their liberties will be precarious, their enemies will seduce them from the pursuit of their true interests, or their own prejudices lead them into fatal dangers.

—*House Journal*, 1806.

1807

1. GOV. ALEXANDER'S MESSAGE ON EDUCATION.

1. GOV. ALEXANDER'S MESSAGE ON EDUCATION.

Education a factor
in the happiness
of the community.

The common objects of legislation may be comprised under the following heads: Education, Internal Improvement, the Security of Property, and the Punishment of Crimes. Your attention has often been awakened to these several subjects; therefore it is unnecessary for me, at this time, to comment upon them; yet they are worthy of your consideration; for on the manner in which they are accomplished, eventually must depend the happiness of the community.

—*House Journal, 1807.*

1808

1. GOV. WILLIAMS' MESSAGE ON EDUCATION.

1. GOV. BENJAMIN WILLIAMS' MESSAGE ON EDUCATION.

Education and
internal improve-
ments of primary
importance.

I will trespass no longer on your patience, but will close this communication by wishing you a happy session, and by observing that the proper Education of the Youth of our Country, and the improvement of our internal Navigation, are objects of such primary importance as justly to have a first claim to your attention.

—*House Journal, 1808.*

1809

1. GOV. STONE'S MESSAGE ON EDUCATION.

1. GOV. DAVID STONE'S MESSAGE ON EDUCATION.

Importance of education.

Next, and second only, to the support of our independent Republican Government, in purity of principle and undiminished rights, is the importance of such provisions for the education of our Youth, as will afford, in certain prospect, the grateful anticipation, that independence gained by the toil, the blood and treasure of our fathers and brothers confirmed and supported by our own best efforts, will be transmitted to our sons, prepared by their education to manage its concerns with dignity and skill, and, when required by just occasion, to support it with firmness and valour.

University and subordinate schools should be fostered.

The liberality of your predecessors has done much for the cause of letters and science, by the establishment of a Seminary for giving instruction in the higher branches thereof, within our State. But much remains to be done, as well for the perfecting of the Seminary, as for the more extensive establishment and distribution of subordinate schools. Nor will it be forgotten in your labors upon this subject, that letters and science, though useful as lights to enable a sound heart to shape a safe and beneficial course through the voyage of life, are mere delusions when not controlled and directed by correct moral principle, chastened and purified by the precepts of our holy Religion. * *

Advantages of education.

While it is equally unnecessary and impracticable to enumerate *all* the advantages which may be confidently hoped from judicious establishments and plans of education among ourselves, it may not be improper to give a transient view of *some*.

They afford our country a more extensive choice and general command of virtues and talents, for the direction of her affairs, by more extensively unfolding and displaying the germs of excellence in the minds of her youth.

They impress upon the more advanced and elderly, the propriety and necessity of exemplary deportment.

Relieve parents from much of the anxiety and uneasiness of distant separation from their children.

Save a considerable amount of our circulating medium among strangers.

Prevent the impression upon the minds of our youth, of unreasonable predilections in favor of alien institutions and manners, as well as of prejudices against those of our own state, and against the condition of society, of which their interest and duty require them to become members. Enable them to acquire an early and more intimate knowledge of our own municipal institutions, by being situated where those institutions are more often the subject of conversation and enquiry. Attach the respect, gratitude and reverence of our youth to persons and places within our own limits, as being their guides to science and virtue, and the scenes of the juvenile exertions and amusements, and give them a more intimate knowledge of the principles and talents of those with whom they are afterwards to act in scenes of real business.

—*House Journal, 1809.*

1810

- 1. GOV. STONE'S MESSAGE ON EDUCATION.**
- 2. EDUCATION IN CASWELL COUNTY.**
- 3. EDUCATION IN EDGECOMBE COUNTY.**
- 4. EDUCATION IN NORTH CAROLINA.**



1. GOV. STONE'S MESSAGE ON EDUCATION. .

The education of our youth of both sexes, as indissolubly connected with the vital principles of our Institutions, will deserve an important place in your deliberations. Those of us who can look back a few years, must view with heart-felt satisfaction, the multiplied facilities afforded at this time for procuring a virtuous education, beyond what then existed among us. But I trust we shall never consider our task as finished, until preparation shall be made, and opportunity afforded for the most obscure members of society to procure such a portion of instruction for their offspring, as shall enable them satisfactorily to discharge the most important duties in society. It is by this alone that our country can obtain, in the management of its high concerns, the full benefit of that dispensation of intelligence which shall be made to it.

Because educational facilities have improved of late the task is not yet finished.

House Journal, 1810.

2. EDUCATION IN CASWELL COUNTY.

From 1750 to 1775
not one-third peo-
ple could read;
much improve-
ment since.

The progress of society and civilization depends upon the education and virtue of the people; great improvements, therefore, have been made since the first settlement of the county. From 1750 to twenty-five years after, it is computed that not more than one-third of the inhabitants could read, and scarcely half that number could write a legible hand; from 1775 to 1800 what was then called a common English education, viz: "to read, write and cypher as far as the rule of three," was given to a little more than half the inhabitants, but from 1800 up to the present time the progress of civilization and literature has been greater than for perhaps fifty years antecedent to that time. The great revival of religion about that period seems to have contributed much to the dissemination of morality, sound principles and good order in society; but as the naturalists have observed every calm is succeeded by a storm, and accordingly many of the inferior class of society appear now more depraved than ever.

Robt. H. Childers'
work as a teacher.

For the progress of literature in the inferior branches of an education, such as reading, writing, and arithmetic since 1800, the people of this county are much indebted to Mr. Robert H. Childers. Greater improvement in writing could not be expected from any man; at least one-half of the youth of the county who write well, were taught, either directly or indirectly, by this excellent pensman.

Caswell academy
and its teachers.

Situated within a quarter of a mile of the Court House is Caswell Academy. The plan of Caswell Academy was first conceived and brought to public view in the winter of 1801. Early in the succeeding year between five and six hundred dollars were subscribed, and during the year 1803 it was completed for the reception of students. The Rev. Hugh Shaw and Bartlett Yancey were the teachers for the first two years; the number of students was from fifty-

five to sixty-five each year. From that period the institution was not in a very flourishing state until 1808, since which time it has prospered much under the direction of Mr. John W. Caldwell—a gentleman educated in Guilford by his father, the Rev. David Caldwell, well known in the State for his services in disseminating literature, morality and religion among his fellow citizens. The funds of the Academy at present are low; it is now, and always has been, dependent on the liberality of the trustees of the institution, and a few other public-spirited gentlemen of the county for support; no library of consequence is yet established—a plan has, however, been suggested and is now going into operation by which it is hoped that a good library will be procured in a few years. The number of students is at present thirty-eight.

Hico Academy, situated near the “Red House” in Caswell, was erected, it is believed, in 1804, by a number of public-spirited gentlemen in that part of the county. Mr. Shaw, after he left Caswell Academy became the teacher at this Academy for two or three years, during which time, it is believed, it had between thirty and forty students. It has since that time been on a decline, and about the middle of last month it was consumed by fire. There had been a school taught in it this year, but no fire had been used in it for several months previous to its being burnt; it is generally believed that some vile incendiary put fire to it, for the purpose of consuming it. The trustees have, however, determined to rebuild it of brick upon a more extended plan.

Since the establishment of these institutions the progress of virtue and of science in the county has exceeded the most flattering hopes of the friends of literature. The education that has been acquired there by our youth seems to have benefitted, not only its votaries, but to have imparted its blessing to all around them. The inhabitants generally are more enlightened—men who thirty or forty

Influence of Caswell and Hico Academies.

years ago were considered the best informed and most learned among us are now scarcely equal in point of information to a school-boy of fifteen years. The venerable fathers are, however, almost to a man (those that are able) the supporters of seminaries of learning; they seem to look forward with pleasing anticipation to the utility their country will derive from the cultivation of the minds of our youth; there are, however, some designing demagogues, "wolves in sheep's clothing," who, because they can read a chapter in the Bible (when it is in large print) and drag over a congressional circular (after a manner) think they have learning enough, wish to excite prejudice against the institutions and their students—"but *black sheep* are to be found in almost every flock."

Students at the University.

Since the commencement of the year 1804 this county has sent the following students to the University of this State, the foundation of whose education (except one) was laid at these institutions, viz: Saunders Donoho, Bartlett Yancy, Edward D. Jones, James W. Brown, Romulus M. Saunders, David Hart, and John W. Graves; besides them the following students received the rudiments of their education at Caswell Academy: Dr. Horace B. Satterwhite, now of Salisbury; William W. Williams, of Halifax, Virginia; Archibald Haralson, of Person; Elijah Graves, of Granville, and James Miller, of Person.

Caswell has no men of great talents.

Caswell is not distinguished for men of talents. We have no men of the first rate talents, but a great number are entitled to the rank of mediocrity and some above it. These are all natives, for we have no spurring Irishmen, revolutionizing Frenchmen, or speculating Scotchmen among us.

Physicians and lawyers.

In this county there are five practicing physicians: Dr. John McAden, Dr. William S. Webb, Dr. Samuel Dabney, Dr. James Smith and Dr. Edward Foulks. Of the profession of the law, now residing in the county, are the following gentlemen: Bartlett Yancy, Edward D. Jones and Solomon Graves, Jr. The order in which each pro-

fessional character is named denotes the priority of time in which they commenced the practice of their profession.

There are two societies in the county constituted for intellectual improvement. One at Caswell Academy and another at the tavern of Jethro Brown, Esq. Their exercises are mostly polemical. We have no public library in the county. Literary Societies.

About two years ago several gentlemen of Caswell and Person had formed themselves into a society for the encouragement of the arts and agriculture; but that spirit of emulation and national pride which then characterized all seems now to be possessed by a few only. Little has been done for the progress and promotion of this society as yet. Agricultural societies.

The religion of the inhabitants may be best estimated by the number of churches and communicants; there are four Baptist churches and about 300 communicants; four Presbyterian congregations and about 200 or 250 communicants; three or four Methodist societies, and about 250 or 300 communicants. Churches.

Caswell is a very healthy part of the country. The common diseases of the inhabitants are nervous and bilious fevers. The remedy for the most part is stimulants and purgatives, the composition of which is best known to the physicians. Health.

The amusements of the polite part of society consists in balls, tea parties and visiting parties. Those of an inferior class consist of Saturday night frolics, now become almost obsolete; shooting matches and horse-racing, afford amusement to the better sort of men, and now and then may be seen a party with an old rusty pack of cards amusing themselves for whiskey. The only Sporting Club in the county is the "Jockey Club" of the Caswell Turf. Amusements.

August 11th, 1810.

BARTLETT YANCY.

—*From the North Carolina University Magazine, Nov. 1860.*

3. EDUCATION IN EDGECOMBE COUNTY.

Knowledge
making progress.

As to the "progress of civilization," little can be said here. Knowledge is certainly more abundant than formerly. Learning, morality and religion are more encouraged, or at least viewed with more complacency. The peaceful, social and humane virtues, it is believed, have more than kept pace with the growth of population. A thirst for knowledge was never great here. The people are neither aspiring, restless nor basely servile. They are generally satisfied with their political situations, and seldom trouble their minds with politics. There are not more than one hundred and eight newspapers taken weekly in the county. Although learning is not generally diffused, yet since the establishment of the University of this State there are more who possess liberal education now than at any former period.

Electioneering
customs.

There is a certain suavity of manners employed in many places by candidates for popular favor very little studied or desired here till within a few years past. It consists in a peculiar shake of the hand, called by our farmers the electioneering shake—in purchasing brandy and drinking with the people—persuading them to get drunk, whereby they may lose sight of the object of an election—flattering and gulling the people with empty professions of extraordinary devotion to their interests, &c. These means when artfully employed generally answer the desired end. Twenty years ago the practice was unknown in Edgecombe, and was considered as the reproach of some of our neighboring counties. It has since those days been introduced as a refinement—but as the first attempts at this innovation it was viewed as an indication of distrust to the sober judgment of the people. But so fascinating was the liquor that its use on these occasions became fashionable, and popular among all classes, and a liberal distribution of it became necessary to a man's election.

But to the credit of the candidates of 1812 they have met in caucus and agreed to renounce this expensive and dangerous mode of electioneering.

There are seventeen county schools in the county, at which are about 400 scholars; nothing more is attempted to be taught in them than the elements of reading, writing and arithmetic, and but few of the teachers are qualified to do justice to those. Notwithstanding this apparently infant state of literature, we may easily discover that it is progressing; for fifty years ago there was not more than one or two schools in the limits of the whole county. For want of an academy in this county several have sent to those in the adjacent ones, viz: At Westrayville and Vine Hill. It is in prospect to establish an academy at Mount Prospect, in this county, and we can not account for the delay otherwise than for the general indifference with which learning is still viewed.

Seventeen schools and 400 scholars now; only two schools fifty years ago.

It is to be apprehended that in this country general knowledge will never characterize many of its citizens as long as the dead languages are viewed as the basis of a liberal education. This county has never been prolific in men of talents, or they have been obscured for want of opportunities of education. Among the most distinguished characters it has afforded was Jonas Johnston, whose name and character have already been mentioned. Had he received an education corresponding with his general talents, he might have done credit to any country. Thomas Hall was a man who possessed considerable natural talents, with the advantages of a grammatical education. He was quite conversant with the Latin classics, which he made the most of. He represented our county in the state convention, but never offered again for any public office. He was a lawyer of some eminence and would have made a shining character at the bar had he not been almost led away from his professional studies by a strong poetical genius. He, however, continued to practice as

Objects to dead languages as the basis of education; distinguished men of the past.

long as he lived, and had a considerable share of business in the courts where he practiced. But his mind seemed more frequently engaged in poetry than the laws, and there have been frequent instances that while his opponent was speaking in a cause in which he was employed, that he was engaged in writing satirical verses. His favorite subject was satire, but he wrote with equal facility on other subjects. He also possessed and indulged in a most biting and ready wit, and was never at a loss for repartee; but like most other wits, he generally made fewer friends than enemies. Some few of his pieces are yet in the hands of his friends; but the bulk of them which would have been sufficient to form a handsome volume are now lost to the world.

Formerly no children sent to college.

We have but few more of literary talents in the county; the means of education having heretofore been much circumscribed; we have more now, however, than at any former period; and we have never been destitute of men in whom we could confide our interests. Before the establishment of our University no children were sent out of the county to any college or academy.

One lawyer in the county.

At present there is only one professional law character in the county, and he a native of the county; but there are more physicians than at any former period, who can not boast, however, of great erudition. Quacks are abundant and are privileged to boast.

Two-thirds people can read; illiteracy of women.

It is believed that about two-thirds of the people generally can read; and one-half of the males write their names, but not more than one-third of the women can write. The girls now at school are learning and are very desirous to write; it is deemed a more important accomplishment in that sex, among the common people now than formerly.

Progress of learning slow.

The progress of learning for twenty-five years back has been slow, and perhaps has not more than kept pace with the population, till within these two or three years. The

people now manifest some disposition to diffuse learning; perhaps from their finding the means of obtaining it more accessible now than heretofore. The custom at the public schools, and in some towns, among those who are desirous of intellectual improvement, has found its way here. Societies have been formed, and kept up with a tolerable degree of spirit, greatly to the benefit of the members thereof, both in talents and morals. Novelty is a great matter here. We are generally ready to encourage any new institution that promises beauty or utility, but when it becomes familiar we grow indifferent.

Three or four years ago a subscription was set on foot for establishing a free school for the education of poor children in the county—two or three hundred dollars were soon subscribed. A few children received the benefit of this subscription (for it never became an institution) but as the matter never got into proper hands it languished and died. But unhappily for want of sufficient interest in literary pursuits, and perhaps for want of a more permanent residence of many who compose these societies, they have generally languished in a few months, and are with difficulty sustained. Some attempts have been made to procure libraries, but this for some of the above reasons, was never effected, except by a society that was in existence about fifteen years ago. On the dissolution of that body the books were scattered abroad, or divided among those who contributed to the establishment. The agricultural society has appropriated a sum of money to procure an agricultural library. Some donations are made of books for this purpose. On the fourth day of July, 1810, proposals were made for the establishment of a society for the promotion of agriculture and the arts. The plan has succeeded, so far as to go into operation. It has now upwards of thirty respectable members, whose public spirit is thus manifested, greatly to their benefit, and it is hoped to the benefit of the county. The society convenes on the second

Free school attempted; failed.

Few libraries.

Agricultural society library being established.

day of every court of quarter sessions in the county; adjourning from day to day as they see fit.

—*From North Carolina University Magazine, April, 1861.*

(Jeremiah Battle, M.D.)

4. EDUCATION IN NORTH CAROLINA.

THE UNIVERSITY

Never conferred greater benefits or exhibited fairer prospects of continued success than at the present time.

Sixty-five students;
Thirty-five in preparatory school.

It has now precisely 100 students, of whom about 65 are on the Establishment and the remainder in the Academy. Some estimate may be formed of the value of our other Seminaries in different parts of the State from the number of students they have severally furnished to the University. Of the students now on Chapel Hill 6 received the first rudiments of their classical education at the Academy in Louisburg; 6 at Raleigh, 4 at Caswell, 1 at Belfield, Va.; 1 at Pittsborough, 1 at Guilford, 1 at Warrenton, 4 at Salisbury, 2 at Spring Hill (Lenoir), 1 at Fayetteville, 4 at Ebenezer, Va.; 2 at Hampden Sydney College, Va.; 23 at Chapel Hill, and the remainder at different places in this State, Virginia and South Carolina, unknown to us.

Academies sending students to the University.

Of the merits of the Institution in the higher branches of instruction nothing need be said. The Institution itself, deserted and frowned upon by the Legislature, has been preserved in existence by the talents and exertions alone of its President. Public opinion has at length uttered its strong voice in its favour, and the Legislature has again extended to it its fostering hand. We on a former occasion noticed the success of the President's exertions to obtain private contributions. These will enable the Trustees to enclose the Main Building, and the success of the former attempt leaves no room to doubt but enough will be obtained by subscriptions to complete it.

Life of institution due to the exertions of its president.

Legislature of late has assisted the school.

The Preparatory School is now much superior to what it has been at any former period. Its teacher is unquestionably the best Latin and Greek scholar in the State, and equal to any whatever. We are informed that President Caldwell, in his zeal to procure his valuable services

The preparatory school; the president helps to pay the teacher.

to the Institution, contributes to his compensation in addition to the salary allowed by the Trustees.

To show how the education of a youth should be conducted who is intended for the University, we here give a Catalogue of the books read by the several classes in the University, with remarks extracted from a publication ordered by the Trustees in July last.

NO. I. THE ACADEMY.

Course of study in
academy.

Ruddiman's Rudiments.
Corderius, 40 colloquies.
Æsop, 40 fables.
Selectæ e Vcteri.
Selectæ Profanis.
Grammatical Exercises or Mair's Introduction.
Cæsar's Commentaries, 3 or 4 books.
Sallust and Prosody.
Virgil, to the 7th Æneid.
Wettenhall's Greek Grammar, translated.
Greek Testament, 5 chapters of John.
Murray's Grammar, the large text.
Reading, spelling, writing, and arithmetic, to the rule
of three.

NO. II. THE COLLEGE. JULY 1.

First term fresh-
man class.

Horace's Odes, 5 books.
Mair's Introduction.
Prosody.
Greek Grammar.
John's Gospel, from the 5th chapter.

NO. III. JANUARY 1.

Freshman Class—Half Year Advanced.

Freshman class,
second term.

Horace, the remainder.
Lucian, 28 or 30 dialogues.
Mair's Introduction, the Ancient History.
Greek Grammar, and Prosody.

NO. IV. JULY 1.

Sophomore Class.

Cicero, 4 or 5 orations.

First term sophomore.

Dilworth's Arithmetic, throughout.

Murray's Grammar, with remarks.

Xenophon, the first book.

NO. V. JANUARY 1.

Cicero, 4 or 5 orations more.

Second term sophomore.

Homer's Iliad, 1 or 2 books.

Geography, and the use of the Globes.

NO. VI. JULY 1.

Junior Class.

Elements of Geometry to 219th article, or to the end of the 4th of Euclid. First term junior.

Simpson's Algebra, to the Problems.

NO. VII. JANUARY 1.

Remainder of Geometry, or the 5th and 6th of Euclid. Second term junior.

Plane Trigonometry.

Logarithm.

Ewing's Synopsis on Heights, Distances and Surfaces.

Simpson's Algebra, 152 Problems.

NO. VIII. JULY 1.

Senior Class.

Helsham, to the motion of prejects.

First term senior.

Blair's Rhetorick, abridged.

NO. IX. JANUARY 1.

Remainder of Helsham.

Second term senior.

Paley's Moral Philosophy, omitting politics.

Duncan's Logic.

Ferguson's Astronomy, 158 pages.

* * * * *

THE RALEIGH ACADEMY

Has now about its usual number of students. Mr. Rice is its Principal. He will be succeeded in a few weeks by the Rev. Mr. McPheeters, who is recommended as a man of profound learning and considerable literary taste. Mr. Greville teaches in the English Department, Grammar, Geography, Reading, Speaking and Composition.

Our language, heretofore too much neglected, is beginning to receive due attention; and from the exertions of a very competent teacher we expect hereafter to witness at our exhibitions a better style of eloquence than usual, both in reading and speaking. Mrs. Sambourne teaches Music out of the Academy, and Painting and Embroidery in it.

She presides over the manners and deportment of the Female Department, but instruction is imparted by the three gentlemen, who in rotation enter the school to attend to their several classes. We think this plan and arrangement superior to that which heretofore prevailed. Men of education and talents are probably the most efficient instructors. Mr. Dickson teaches in the Preparatory School.

He is a good accountant and a very elegant penman. A Literary Society of students and a very handsome Library are important advantages of this Institution.

Teachers.

English emphasized.

Female department.

Preparatory school and literary society and library.

THE LOUISBURG ACADEMY

Is under the direction of Dr. Bogle, as Principal. He is a man of genius, an excellent classical scholar, and to a very happy talent for instructing unites an uncommon zeal in the cause to which he is devoted. He is assisted by Mr. Crudup. The Academy has now between 45 and 50 students. A respectable Library has lately been established there.

Teachers and library.

FAYETTEVILLE ACADEMY

Has upwards of 120 students. The Reverend William L. Turner is Principal, whose merits as the Chief of the

Teachers and course of study.

Institution are well known. Music, Painting and the French Language are said to be taught in a very superior manner by Miss Beze, a native of France. Competent assistants are provided for the several departments.

WESTRAYVILLE ACADEMY

In Nash County, under the direction of Mr. John Bobbitt. Teachers and patrons. Of the merits of this institution we know nothing. No small recommendation of its teacher is that he is a graduate of the University of North Carolina. We can not, therefore, doubt his fitness for his vocation. Mr. S. Westray and Dr. T. Jones are patrons of the Institution, and they are gentlemen in whom the public will willingly confide.

CASWELL ACADEMY.

Of this Seminary Mr. John W. Caldwell is Principal. Teacher. The school is said to be a good one. Board in the vicinity is remarkably low.

MR. MORDECAI'S FEMALE SEMINARY, WARRENTON.

This is conducted by Mr. Mordecai himself, with the Teachers. assistance of his son and daughters. We believe this to be an excellent Seminary. Its conductors possess talents and a fine literary taste. The beauties of such authors as Addison and Pope are unfolded to the pupils in so interesting and engaging a manner that the taste is generally chastened and refined to the standard of Classick purity. Standard English authors read. The mind is elevated superiour to the enjoyment of silly novels, which but too often deprave the taste, corrupt the heart and enfeeble the understanding. Music and Painting are taught by Mr. Miller. Musical composition and painting. His pupils, by being taught both to read and compose music, are made to understand it. His Painters are copyists, but they copy only from the Volume of Nature.

Besides these there are several other respectable Academies and Grammar Schools in the State, viz: at Hyco, Caswell; Asheville, Buncombe County; Salisbury, Salem, Other academies.

Pittsboro, Lumberton; Laurel Hill, Richmond County; Warrenton; Spring Hill, Lenoir; Newbern, Edenton; near Mr. John Sims', in Granville, and we believe some others, but have too little knowledge of them to enable us to speak of them with propriety.

—*Editorial, Raleigh Star, March 15, 1810.*

1811

1. GOV. SMITH'S MESSAGE ON EDUCATION.

1. GOV. BENJAMIN SMITH'S MESSAGE ON EDUCATION.

Education all important ; ignorance a foe to free government.

Some plan should be devised to place education within reach of every child.

Too much attention can not be paid to the all-important subject of Education. In despotic governments, where the supreme power is in possession of a tyrant or divided among an hereditary aristocracy (generally corrupt and wicked) the ignorance of the people is a security to their rulers; but in a free government, where the offices and honors of the state are open to all, the superiority of their political privileges should be infused into every citizen from their earliest infancy, so as to produce an enthusiastic attachment to their own country, and ensure a jealous support of their own constitution, laws and government. A certain degree of education should be placed within the reach of every child of the state; and I am persuaded a plan may be formed upon economical principles that would extend this down to the poor of every neighborhood, at an expense trifling beyond expectation, when compared with the incalculable benefits from such a philanthropic and politic system. In these schools, subject to proper superintendence, the rising generations might be brought up in the true principles of the Christian Religion, which includes the purest morality, and would prevent that multiplicity of crime now too frequently perpetrated in the country.

—*House Journal, 1811.*

1812

- 1. GOV. HAWKINS' MESSAGE ON EDUCATION.**
- 2. THE NEW BERN CHARITABLE SOCIETY.**
- 3. TREASURY RECEIPTS AND EXPENDITURES.**

Education an
object of great
importance.

1. GOV. WM. HAWKINS' MESSAGE ON EDUCATION.

The encouragement of Agriculture and manufactures, the improvement of our roads and inland navigation, and the promotion of learning, are objects of such great importance, that a doubt can not be entertained as to the propriety of their occupying a considerable share of your deliberations.

—*House Journal*, 1812.

2. THE NEW BERN CHARITABLE SOCIETY.

An Act to incorporate the Newbern Female Charitable Society.

That the individuals who are at present associated in the town of Newbern, for the relief of the poor and the education of poor female children, under the name of the Newbern Female Charitable Society, and those who hereafter may become members of the said Association agreeably to the rules which may be therein established, be, and the same are hereby incorporated into a body corporate politic, by the name of the Newbern Female Charitable Society, and as such shall have perpetual succession, may sue and be sued, be capable of acquiring and holding real or personal estate; have ability to make and ordain laws and regulations for their own government, and elect their own officers, and generally to do, receive and perform all such matters and things as rightfully belong to, or are usually incident to bodies corporate or politic within this State. Any law, usage or custom to the contrary notwithstanding.

Society for the education of poor female children; also relief of the poor.
Name.
Corporate powers

—*Laws 1812, chap. LXX, p. 26.*

8. TREASURY RECEIPTS AND EXPENDITURES.

Nov 1, 1811, to Oct. 31, 1812.

All Public Taxes	£25,889	19s.	2d.
Dividends Bank of Newbern and Bank of Cape Fear.....	2,500		
Loan from Banks	12,500		
Balance from 1810	14,404	7s.	11d.
Total	55,294	7s.	2d.
Total Disbursements	£26,203	18s.	6d.

—See *House Journal*, 1812, p. 27.

1813

- 1. MILES BENTON'S FREE SCHOOL.**
- 2. THE WAYNE COUNTY FREE SCHOOL.**
- 3. FAYETTEVILLE ORPHAN ASYLUM.**

1. MILES BENTON'S FREE SCHOOL.

Lands lost by
litigation.

Saturday, November 27, 1813. The committee of Propositions and Grievances, to whom was referred the petition of John T. Benton, of Gates County, stating that by the last will and testament of Miles Benton, the Testator devised a certain plantation and tract of land for the support of a Free School, together with the rents and profits of four acres of land. That a law suit was instituted, and a recovery had of the plantation and tract of land above mentioned; and that only the four acres as aforesaid remains to the use intended by the testator; and the petitioner being Heir at Law of the said deceased, he prays that the four acres aforesaid vested in Him, Report, That your committee are of opinion that to legislate upon principles affecting the will of the testator would be an interference highly improper, therefore recommend that the petition be rejected. Submitted.

A. PHILIPS, Chairman.

—*Senate Journal, 1813, p. 12.*

Miles Benton's
will.

In the name of God, amen.

I Miles Benton of Gates County and State of North Carolina being of a sound and well disposing mind and memory do make constitute and ordain this my last will and Testament in manner and form following Viz—Imprimis I leave to my loving wife Nansey Benton the use of one third part of my land and plantation whereon I now live during her natural life and after her death to be disposed of as hereafter mentioned. Also I give and bequeath to my said wife one feather bed and furniture with walnut bedsted and curtain belonging to the same, also two chests one a pine and the other a cypress one, also one small walnut dressing table and dressing glass, also two large looking glasses, also one small trunk to her and her heirs forever.

Item, I give and bequeath to John Tatam alias Benton the other two thirds of my land and plantation whereon I now live and after the death of my wife the other third to him his heirs forever.

Item I leave to my brother Josiah Benton the use of my land and plantation whereon he now lives during his life and after his death it is my will and desire that the said land be equally divided between my two nephews, Jethro Benton and Henry Benton—to them and their heirs forever. Item I give and bequeath to John Tatem alias Benton the land and plantation whereon John Sanders lived, with as much land joining thereto as will make fifty acres of the whole to him his heirs and assigns forever.

Item. It is my will and desire that the balance of land wherein those fifty acres are given to John Tatem alias Benton are taken out of, be equally divided between my two nephews, Jethro and Henry Benton's to them their heirs and assigns forever. Item, It is my will and desire that my land and plantation I purchased of Luke Sumner be sold by my executors on a credit of twelve months, and the money arising therefrom to be let at interest and the interest arising from the principal be applied to building a school house and hiring of a teacher for the purpose of a free school, and that said school house to be built within two miles of the place where I now reside, and all children with [in] four miles of my place of residence be permitted to be taught in said school,—It is my desire that the court appoint commissioners to Superintend said free school from year to year during time—Item, I give and bequeath to my sister-in-law Elizabeth Benton, wife of Josiah Benton, one negro girl named Clarkey to be at her own disposal. Item, I give and bequeath to my friend Kedar Ballard my riding horse Adams—to him his heirs and assigns forever. Item, It is my will and desire that all my personal estate of all kinds (excepting negroes) be sold and the money arising therefrom go towards paying my just debts, and if there should not be money sufficient

Certain property to be sold and proceeds used for a free school.

Management of the school.

Other provisions.

to discharge my just debts, it is my will that my executors sell as many of my negroes discrecionally as will be sufficient to satisfy all my just debts. Item, I give and bequeath to my loving wife Nansey Benton one third part of all my negroes after my debts are paid—to her her heirs and assigns forever. Item It is my will and desire that the other two thirds of my negroes not already given, be equally divided between John Tatem alias Benton—Luckey Benton Elizabeth L. Benton,—Patsey H. Benton, Jethro Benton—Henry Benton and Mary Benton, wife of Mills Benton all share and share alike to them their heirs and assigns forever. Item It is my will and desire that my house at the cross road meeting house with two acres of land on each side of the road leading to Edenton, adjoining the cross road leading to the creek be leased or rented as my executors think proper, and the money arising therefrom be appropriated to the same purposes as the money arising from the sale of the land I purchased of Luke Sumner and continue for the same term. Item I give and bequeath to my sister in law Elizabeth Benton widow of Jethro Benton dec'd ten dollars per year out of a lease rent from William Benton for ten years, to her, her heirs and assigns forever. Item—all the rest and residue of my estate of what kind soever I leave to be divided as follows, one third part to my loving wife Nancy Benton and the other two thirds to be divided between the two sons of Josiah Benton, John Tatem alias Benton, and the three daughters of Jethro Benton dec'd, all share and share alike. Lastly I nominate and appoint my friends Kedar Ballard and Thomas Parker to be my executors to this my last will and testament. In witness whereof I have hereunto set my hand and seal this 27th day of June, 1805, Signed—Sealed, published and declared by the testator to be his last will and testament in presence of Jos. Jr. Sumner James Knight—Jacob Benton.

MILES BENTON (Seal.)

[The above will was probated at November County Court 1805.]

2. THE WAYNE COUNTY FREE SCHOOL.

An Act to establish a Free School in the county of Wayne.

That Silas Hollowell, John Davis, Nicholson Washington, Robert G. Greene, John Hooks, Sampson Lane, Cullen Blackman, Jesse Slocumbe, Laurence Wood, Robert Collier, and Barnabas McKinnie, shall be and they are hereby declared a body politic and corporate to be known and distinguished by the name of the Trustees of the Free School of the county of Wayne, and by the name aforesaid they shall have perpetual succession and a common seal, and they or a majority of them shall be able and capable in law to take, demand, receive, and possess all money, goods and chattels that shall be given them from charitable motives for the use of said Free School, and the same to apply according to the will of the donor, and by gift, purchase or devise, shall have, receive and retain to them and their successors forever, any lands, rents, tenements or hereditaments of what kind or nature the same may be in special trust and confidence, that the same or the profit thereof or all be applied for the purpose of establishing and endowing the said Free School.

II. That the said Trustees or a majority of them, shall determine on the place for establishing the said Free School, and adopt such rules and regulations for erecting the buildings and for the government of said Free School, and particularly for the preservation of religion, order and good morals therein as a majority of the said Commissioners or Trustees may desire for that purpose, and they are hereby declared to possess the same powers which the Trustees of any other seminary of learning within this State have or may possess or enjoy. *Provided*, the same are not contrary to the Constitution of this State or the United States.

III. That upon the death, resignation, removal or

Trustees appointed.

Corporate powers.

Government and location of the school.

How vacancies are to be filled.

refusal to act of any of the said Trustees, it shall be lawful for the remaining Trustees or a majority of them to appoint others to act in their room, and when so elected they shall have the same powers as those appointed by this act.

Funds to be raised
by lottery.

IV. That the said Trustees or a majority of them are hereby authorized to raise by lottery a sum not exceeding two thousand dollars, by such scheme or schemes as they may think proper to devise, and the same shall be applied solely and exclusively to the use and benefit of the said Free School in such manner as may be by them prescribed.

V. That the said Trustees shall enter into bond payable to the Chairman of the county court of Wayne for the time being, and his successors for the faithful performance of the duties of their appointment¹.

—*Laws 1813, chap. XXV, p. 17.*

¹This school was never established, it seems. There is no existing record of its establishment that can be found.

3. FAYETTEVILLE ORPHAN ASYLUM.

An Act to incorporate the Female Orphan Asylum Society for the education of poor children. Society of Fayetteville.

I. That the individuals who are at present associated in the town of Fayetteville for the education of poor children, under the name of the "Fayetteville Orphan Asylum," and those who may hereafter become members of the said association agreeably to the rules which may be therein established, be and the same are hereby incorporated into body corporate and politic by the name of the "Fayetteville Orphan Asylum." and as such shall have perpetual succession, may sue and be sued, be capable of acquiring and holding real and personal estate, have ability to make and ordain laws and regulations for their own government and elect their own officers, and generally to receive and perform all such matters and things as rightfully belonging to or are usually incident to bodies corporate and politic within this State, any law, usage or custom to the contrary notwithstanding. And whereas it appears by representations made to the General Assembly, that it is the wish and intention of the said society to seek out as objects of their charity, children who are destitute of both parents and who would become chargeable to the county in which they reside, which said children the said society intend to board, clothe and educate, and when properly qualified and of suitable ages, to have them bound out to suitable trades, whereby they may become useful members of society; therefore,

II. That the aforesaid society are hereby authorized to take under their care and protection, by and with the consent of the Wardens of the Poor for Cumberland county, or any three of them, any such children who are destitute of both parents and who might become chargeable to the county; which said children the said society shall be

allowed to board, clothe, and educate, until the society conceive them properly qualified to bind out to proper trades or professions, and whenever said society conceive such children so qualified, they are hereby authorized, by and with the consent of the County Court of Cumberland, to bind out such children in the same manner as the County Courts have heretofore done.

—*Laws 1813, Chap. XLIV, p. 26.*

1814

1. THE DIXON CHARITY FUND.

1. THE DIXON CHARITY FUND.

DIED,

Notice of Alexander Dixon's death.

Bequest of \$12,000 to education of poor children.

At his residence in Duplin county, on the 22nd March last, Alexander Dixon, Esq. in the 69th year of his age. This gentleman had no family. Some months previous to his death had made his Will, and after discharging three small legacies to three of his nephews, two of whom were his executors, and their legacies intended only as compensation for their services over and above what the Law would allow them for carrying the object of the will into effect, he devised the whole of his estate real and personal to be sold and the monies arising therefrom to create a fund for establishing a Charity School for the Education of poor Children in the county of Duplin. The Estate was clear of debt; and is ascertained by his Executors, after being settled, will raise a fund of upwards of \$12,000 for the object of this benevolent institution.—The Will was confirmed at the county court of Duplin in July last, much to the satisfaction of Col. William Dickson, his elder and surviving brother.

—*Raleigh Register*, Aug. 5, 1814.

Will of Alexander Dickson,

(June 19, 1813.)

IN THE NAME OF GOD AMEN. I, Alexander Dickson, of the county of Duplin, being infirm in Body, but of sound and perfect memory, blessed be God, do make and ordain this my last Will and Testament in manner and form following, that is to say,

All landed property to be sold.

IMPRIMIS. My will is, and so I direct, that all my just debts and personal expenses be first paid out of my estate by my Executors hereinafter named. It is my will and desire that all my Lands be sold at Public Auction

by my executors, for the highest price that may be got, in the following manner, that is to say, the Manor Plantation containing 300 acres bought of Joseph Dickson, deceased, The 213 acres adjoining the same bought of Austin Beasley, and 4 1-2 acres adjoining that, where the dead tree is, bought of Thomas McGee and 86 acres between his own and Joseph Brays lines, bought of said Bray, containing in the whole 716 1-4 acres, which said parcels of land, as above described, is to be sold all in one lott. Also 150 acres on the West side of Maxwell Swamp on the head of Jimmie's Branch bought of Abner Huggins, that to be sold in one lott. Also 50 acres on the South side of the head of Branch, bought of Robert Dickson, deceased. Also 50 acres adjoining the same, at the East end and joining John McGowan's line, Patented by myself, the two above mentioned pieces to be sold in one lott. Also 300 acres, or thereabouts, below the cross roads and on both sides of the main road, adjoining and between Gabriel H. James, Robert Dickson and John Hunter's lines to be sold in one lott, Patented by myself.

Item—I leave and bequeath to my nephew John Dickson (son of my Brother Robert Dickson, of Cumberland County, Blockers Ferry) my young Negro Winch named Amy and her increase to him and his heirs forever.

Bequest to John Dickson.

Item—I leave and bequeath to my nephew, Joseph McGowan, my Negro Woman named Nancy and her increase to him and his heirs forever.

Bequest to Joseph McGowan.

Item—I leave and bequeath to my Nephew, Jones Dickson, Five Hundred Dollars to be paid in Notes, if so much in possession at the time of my death, if not, to be raised out of the salls of my estate and paid to him by my executors.

Bequest to Jones Dickson.

The residue of my negroes is to be sold in the following manner, that is to say, Old Lucy and her Daughter Lucy and her son Frank and her increase hereafter to be sold

Negroes to be sold; other property also.

in one lott, and not separated. Also Kitt and the three youngest children that she may have at the time of my decease to be sold in one lott and not separated. Old Tarisman is to be well treated by my executors and not let want for anything. The Negroes not herein named are to be sold separate to the highest bidder. The remaining part of my estate, consisting of Horses, Cattle, Hogs and Sheep, Household and Kitchen furniture and Plantation Tools of every description and Kinds of Crop and Produce are to be sold in the same way as my other Property. The money arising from the said sales are to be collected by my executors when due as soon as may be. Should there be any money, Bonds or Notes, or accounts on hand at the time of my decease, my executors are to account for them and after paying out all expenditures that may have accrued heretofore, or may hereafter accrue, the neete proceeds are then to be kept and put by my executors to the use of a Free School or Schools for the Benefit of the Poor of Duplin County.

Free school in
Duplin.

Executors.

Lastly. I hereby nominate and appoint my Nephew, John Dickson, son of my Brother Robert Dickson, deceased, living at Blockers Ferry, Cumberland County, and also my Nephew, Joseph McGowan, of Duplin County, son of William McGowan, deceased, my whole and sole executors of this my last Will and Testament. In Witness Whereof I the said Alexander Dickson, have hereunto set his hand and seal this nineteenth day of June Eighteen hundred and thirteen.

ALEXANDER DICKSON, (Seal)

Signed, sealed and delivered by the Testator to be his last Will and Testament, who hath in our presence signed the same and we at his request have signed the same as witnesses thereto.

STEPHEN GRAHAM.
WILLIAM MALLARD.

State of North Carolina—Duplin County.

July Term of the County Court of Pleas and Quarter Sessions for said County of Duplin.

The within Will was Exhibited into Court and after Probate. being duly debated and discussed was admitted to probate and Record. And was duly proved in open Court by the oaths of Stephen Graham and William Mallard the subscribing witnesses thereto.

And at the same time John Dickson and Joseph McGowan the Executors named in the said will came before the Court and Qualified as Executors thereto according to law.

Ordered that letters issue accordingly.

Test.

WM. DICKSON, C. C.

Across the back of said Will is the following endorse- Endorsement.
ment:

Alexander Dickson's

Will

Proved and Recorded

July Term, 1814.

On the 24th of January, 1817, the executors reported Value of fund 1817. a settlement of the estate, showing a net balance on hand of \$12,621.49. This fund has always been known as the "Dickson Charity Fund," and until after the Civil War was managed and controlled by the Clerk and Master in Equity and the income applied in various ways for edu- Control of fund un-
till after civil war. cational purposes. In recent years it has been managed by the Board of County Commissioners, and the income applied to the public school fund. But through years Fund mismanaged of mismanagement and ill-directed investments, it has almost come to naught, and, like most bequests of this kind, has not served the high purpose for which it was intended by the donor.

—From Carr's Dickson Letters, MS. of Revised Edition.

DIXON CHARITY FUND.

PRESENT INCOME DICKSON FUND.

The County Treasurer of Duplin County for the year 1904-05, reported that he received \$140.88 interest from the Dickson Fund. For the year 1905-06, he reported \$140.89 from the same source.

—*From MS. Records, Office State Superintendent.*

1815

- 1. GOV. MILLER'S MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**

1. GOV. MILLER'S MESSAGE ON EDUCATION.

Class distinction
ought to be
avoided.

Knowledge and virtue are the great supporters of free governments. In a country like ours, nothing should be more carefully guarded against, than the establishment of anything like different orders in society. When the sources of information are confined to a few, it may have a tendency to introduce into society an order of men, who, valuing themselves upon their superior acquirements, are too apt to look upon those, who have been less fortunate, with a degree of supercilious contempt. They may be too apt to imbibe the idea, that the people were made for them and not they for the people.

Plan ought to be
devised to educate
every member of
society.

It is under the hand of Legislative patronage alone, that the temple of science can be thrown open to all; and it seems to me well worth the consideration of the Legislature, if some plan can not be devised by which every member of the community, no matter how circumscribed his situation, may have an opportunity of experiencing the benefits of education.

All can not be edu-
cated except by
public patronage.

The progress which has been made of late in the establishment of seminaries for the education of youth evinces a spirit of genius in the people of this State for literary acquirements. But so long as these establishments are left to depend for support upon the individual exertion their beneficial effects must necessarily be partial. It is under the fostering hand of legislative patronage alone that the temple of science can be thrown open to all.

—*House Journal*, 1815.

2. ASSEMBLY COMMITTEES ON EDUCATION.

House Committee¹ on "Seminaries of Learning": *House committee.*
Frederick Nash, Orange, and Simmons J. Baker, Martin.

—*House Journal*, 1815.

Senate Committee¹ on "Seminaries of Learning": *Senate committee.*
James McKay, Bladen.

—*Senate Journal*, 1815.

¹This was a joint committee of both houses of the Assembly. The committee made no report. This was the first Assembly committee on education ever appointed.

1816

- 1. GOV. MILLER'S MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. MURPHEY'S REPORT.**
- 4. GOV. MILLER ON EMIGRATION.**
- 5. LOTTERY FOR FAYETTEVILLE ACADEMY REFUSED.**
- 6. THE GRIFFIN FREE SCHOOL 1816-1840.**

1. GOV. WILLIAM MILLER'S MESSAGE ON EDUCATION.

The subject of education has always been one of primary importance, with all governments established for the benefit of the great body of people. Men intended for slaves the more ignorant the better. But, if for freedom, they ought, of course, to be enlightened. If the wealthy alone be admitted into the temple of science, the most dangerous species of aristocracy may be apprehended, from the union of two such powerful agents, as wealth and talents.

A plan by which the means of obtaining some portion of education may be afforded to every one, however indigent is, without doubt, practicable. The example set in a neighboring state, in establishing funds for the advancement of literature and internal improvements, seems well worthy of imitation.

—*House Journal*, 1816.

2. ASSEMBLY COMMITTEES ON EDUCATION.

Senate committee. Nov. 22, 1816. Resolved That so much of the said message, as relates to the subject of Public Instruction, be referred to a select joint committee¹. And on the part of the Senate Mr. Murphey and Mr. Hinton are appointed².

—*Senate Journal, 1816-17.*

House committee.

Nov. 24, 1816. House Committee on Public Instruction: Frederick Nash, Orange; Thomas Settle, Rockingham; William Drew, Halifax town; Samuel King, Iredell.

—*House Journal, 1816-17, p. 8.*

¹ Resolution was introduced by A. D. Murphey, Orange.

² A. D. Murphey, Orange, and John Hinton, Jr, Wake.

3. MURPHEY'S REPORT.

Dec. 19, 1816.—The committee to whom was referred so much of the message of His Excellency the Governor as relates to the subject of Public Instruction, report:

That after forty years of successful experiment, the most sceptical can not doubt the excellence of the system of government which we have adopted. Suited to our geographical situation, to our genius for commercial enterprise, and to our opinions of civil liberty, it has carried us in triumph through the perils of a revolution at a time when it wanted the federative strength which it now possesses; and in a late war has exacted the respect, if not the admiration, of distant nations. The national character has given force to the operations of the government, and has exhibited both the splendid virtues which adorn a nation and the more humble virtues which ornament private life. It is the government of our choice, and that of our forefathers, who established it. The inheritance is precious; and, whilst we cherish it with all the feelings of an ardent patriotism, let us in prudence seek to give to it improvement and duration, that our children may receive it from us unimpaired, but rendered more rich by the culture which we shall bestow upon it.

The United States has had forty years of successful government.

This inheritance should be handed down to our children unimpaired.

A republic is bottomed upon the virtue of her citizens; and that virtue consists in the faithful discharge of moral and social duties and in obedience to the laws. But it is knowledge only, that lights up the path of duty, unfolds the reasons of obedience and points out to man the purposes of his existence. In a government, therefore, which rests upon the public virtue, no efforts should be spared to diffuse public instruction; and the government which makes those efforts, finds a pillar of support in the heart of every citizen. It is true that knowledge and virtue do not always go hand in hand; that shining talents are

It is knowledge only that lights the path of duty.

Public virtue demands the diffusion of knowledge.

sometimes united with a corrupt heart, but such cases only form exceptions to a general rule. In all ages and in all countries, the great body of the people have been found to be virtuous in the degree in which they have been enlightened. There is a gentleness in wisdom, which softens the angry passions of the soul, and gives exercise to its generous sensibilities. And there is a contentment which it brings to our aid: humility in times of prosperity, fortitude in the hour of adversity, and resignation in affliction. True wisdom teaches men to be good rather than great; and a wise providence has ordered that its influence should be most felt where it is most needed, among the great body of the people, who, constituting the strength of the State, have no other ambition than to see their country prosper and their wives and children and friends happy. To the several classes who compose this great body, the attention of the government should be particularly directed; to teach them their duties and enable them to understand their rights. The frightful examples of a few individuals who are led astray by the temptations of vice or the seductions of pleasure, will not deter the State from doing its duty. She will extend her maternal care to all her children. She will endeavor to reclaim the vicious, to strengthen the wavering, to reward those who do well, and afford to all the opportunities of learning their duties and their rights.

To effect this benevolent purpose, a judicious system of public education must be established. Few subjects present more serious difficulties, none is of more vital importance. To frame a system which shall suit the condition of our country and the genius of its government, which shall develop the faculties of the mind and improve the good dispositions of the heart; which shall embrace in its views the rich and the poor, the dull and the sprightly is a work of great magnitude and requires details to give it efficacy, which the little time allowed to your commit-

Men are virtuous in the degree they are enlightened.

Wisdom gives exercise to the generous sensibilities.

The great body of the people are the strength of the State.

The State should afford to all the opportunity to learn their rights and duties.

This requires a system of public education.

The system adopted should make provision for all classes.

tee will not permit them to attempt. They will, however, give their general views upon the subject and recommend to the Legislature to appoint men to fill up the outlines in detail and make report to the next General Assembly.

Details should be worked out by a committee and reported to next Assembly.

Your committee feel proud to look back and review the efforts which have been made in North Carolina to diffuse public instruction. Few states have afforded such examples of private munificence for this purpose. And the Legislature has lent its fostering care, by establishing an University and endowing it with funds. But your committee regret that such success has not attended these benevolent efforts of their fellow citizens as they seem to have merited; and they entertain the fear that no better success will hereafter attend them, until a general system of public education shall be established and enforced by the Legislature. This general system must include a gradation of schools regularly supporting each other, from the one in which the first rudiments of education are taught to that in which the highest branches of the sciences are cultivated. It is to the first schools in this gradation that your committee beg leave to draw the attention of the Legislature at this time, because in them will be taught the learning indispensable to all—reading, writing and arithmetic. These schools must be scattered over every section of the State, for in them education must be commenced and there it will terminate as to more than one-half of the community.

Few states have excelled North Carolina in examples of private donations to education.

Private effort has not been entirely successful.

A general system of education should include schools from primary to the highest.

The primary schools in which reading, writing and arithmetic are taught must be scattered over the state.

These schools will be the most difficult in their organization, and the most expensive to the State; but they will be the most useful, inasmuch as all the children of the State will be taught in them, and many of these children are destined never to be taught in any other. Here their education will commence and have its end. With the learning which they here acquire, they will pass into active life and take rank with their fellow citizens. It is important therefore that in these schools the precepts of

Primary schools most expensive and difficult to organize, while they are the most useful.

Morality and religion highly important.

Early education of children now left to chance.

Thousands of children growing up in perfect ignorance.

The state should educate these unfortunates.

Children of the poor and unfortunate often attain wealth and honors.

Many whose virtues have adorned humanity were born in poverty.

The state should feed and clothe and educate these poor children, transferring the most promising to higher schools.

morality and religion should be inculcated, and habits of subordination and obedience formed. One of the greatest blessings which the State can confer upon her children is to instill into their minds at an early period moral and religious truths. Depraved must be the heart that does not feel their influence throughout life. It is a subject of deep regret that at this time in North Carolina the early education of youth is left in a great measure to chance. Thousands of unfortunate children are growing up in perfect ignorance of their moral and religious duties. Their parents equally unfortunate know not how to instruct them, and have not the opportunity or ability of placing them under the care of those who could give them instruction. The State, in the warmth of her affection and solicitude for their welfare, must take charge of those children and place them in schools where their minds can be enlightened and their hearts can be trained to virtue.

There is another class of unfortunate children who are objects of anxious solicitude. These are the children of the poor, whose parents, bereft of the comforts of life, are rendered doubly wretched by seeing their children bereft of the opportunities of education. How often among these children do we not see the most promising genius? And how often has not this genius been seen to burst the fetters which enchained it to the bed of poverty and towered its way to wealth and honours? Genius delights to toil with difficulties: they discipline its powers and animate its courage. Hence it has happened that many whose elevation has been prominent and whose virtues have adorned humanity have been born in the lap of poverty. The State must take into her bosom these poor children, and feed and clothe and educate them at the public expense. Such of them as give proofs of genius and hopes of future usefulness should be transferred to schools of higher grade, and eventually brought forward into active life under the public patronage. Among these youths who

shall thus be educated at the public expense, the State will find her most useful citizens. Their devotion to her interests will be unbounded; her attachment to them will be unlimited. From these teachers may be selected for the schools in which they are qualified to teach; and, as they have been educated at the public expense because they were poor, they must in return teach gratuitously the poor children placed under their care. And, to stimulate them to honest and active exertions, let those who shall faithfully discharge their duty in teaching for the time required of them, be rewarded for their fidelity by being advanced into higher schools and instructed in the sciences at the public expense.

Thus the state
could secure
teachers.

Discreet persons must be appointed in each county to superintend and manage the concerns of the sectional schools which shall be established, and to designate the children who shall be educated in part or in the whole at the public expense. The application of the funds which shall be consecrated to the purposes of these schools shall be made by them.

Discreet persons
should be appoint-
ed in each county
to manage the
schools of the
several grades.

There yet remains one class of unfortunate human beings who have peculiar claims upon our humanity and who must not be overlooked in a plan of public instruction. These are the deaf and the dumb. There is a language of nature, expressed by the countenance, which all understand. This is the language of feeling, and, being the only one known to the deaf and dumb, is by them spoken with peculiar eloquence. But the artificial language necessary to the acquaintance of abstract ideas and to the development of the intellectual faculties remained unknown to this part of our species, until lately, when Providence in its goodness vouchsafed to discover to the *Abbe de Cr. Epee* the method of applying signs scientifically to their instruction. And at this day they can be taught language and instructed in religion, morals and the sciences about

Deaf and dumb
should be edu-
cated.

Connecticut first to provide for the education of the deaf and dumb.

as easily as those who can hear and speak. Connecticut has had the honor of establishing the first asylum for the deaf and the dumb upon this Continent. And Messrs. Gallaudet and Clerc who have been the active ministers of humanity in founding this asylum deserve the thanks of the human race. The number of the deaf and dumb in North Carolina is not great, but, small as it is, it claims the humane attentions of the government.

Our highest duty to our fellow-beings will be discharged when we place within their reach the means of education.

When we shall commence this great work of national charity, of establishing schools for public instruction in every section of the State, and educating at the public expense those to whom poverty has denied the means of educating themselves, may we not hope that a benevolent God will smile upon our labours and cause them to prosper? We shall have discharged the highest duty which we owe to our fellow-beings, when we shall place within their power the means of learning those things which belong to their temporal and everlasting peace.

Now possible to appropriate \$500,000 to carry on a general system of education.

To carry into effect any General System of Public Instruction much expense must be incurred. But your committee rejoice that the state of our finances will shortly put it in the power of the Legislature to appropriate nearly half a million dollars to this purpose, and yet not withhold the appropriations which shall be necessary to complete the system of Internal Improvements now under consideration. Your committee would gladly exhibit views of our finances to prove that this would be the result, but that duty more properly belongs to the committee who have the subject of the public revenue under consideration.

Details of the plan of education to be reported later.

Your committee forbear to attempt the details which will be necessary to give effect to the system of education which they recommend to the consideration of the Legislature. Much time and much deliberation will be required to mature them and your committee recommend to the two Houses to adopt the following resolution:

COMMITTEE ON PUBLIC INSTRUCTION.

Resolved, That the speakers of the two Houses of the General Assembly appoint three persons, to digest a system of public instruction founded upon the general principles of the foregoing report, and submit the same to the consideration of the next General Assembly.¹ Committee to report to next Assembly.

Respectfully submitted,

A. D. MURPHEY, Chairman.

Dec. 19, 1816: In Senate Decr. 19th 1816 Read and resolved that this House do concur therewith.

JOHN BRANCH Sp. S.

—*Senate Journal*, 1816.

In House of Commons 21 Decr. 1816 Read and resolved that this House do concur therewith.

JAS. IREDELL S. H. C.

¹ No record as to who was appointed on this committee.

4. GOV. WILLIAM MILLER ON EMIGRATION.

Our products go
to swell exports of
two sister states.

System of internal
improvements
necessary to free
North Carolina
from commercial
dependence and to
prevent emigra-
tion.

The State of North Carolina, though not so highly favored as some of her sister states, has yet many advantages, which if properly improved, would give her that stand in the union, to which her population and extent of territory so eminently entitle her. * * * Situated as she now is, a great part of her produce goes to swell the amount of the exports of the two adjoining States. To prevent this, State pride as well as interest should prompt us to use every exertion. Let her rivers be made navigable, and if practicable her outlets to the ocean opened, and ere long, we should have her agriculture improving, her commercial towns rising to importance, the value of her land increasing, and her people, instead of seeking new countries, contented to remain at home and cultivate the soil that gave them birth. Instead, then, of only contributing to the wealth and aggrandisement of others, we should be enabled to manage our own commercial concerns, and to free ourselves from a degrading species of dependence upon the citizens of other States.

—*From Governor's Message, House Journal, 1816.*

5. LOTTERY FOR FAYETTEVILLE ACADEMY REFUSED.

A Bill to authorize the Trustees of Fayetteville to raise by way of Lottery a sum of money for the use of said school.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Trustees of the Fayetteville Academy be and they are hereby authorized to raise by way of one or more lotteries the sum of five thousand dollars for the use and benefit of said Academy.

And be it further enacted, That before the Trustees aforesaid shall proceed to use and dispose of any tickets in the Lottery hereby authorized, they shall give bond in the sum of Five Thousand Dollars payable to the Commissioners of the Town of Fayetteville for the fair conducting of said Lottery or Lotteries, which bond may be put in suit without assignment for the benefit of any person injured by the misconduct of said Trustees.

In House of Commons Dec. 24, 1816: Read and Indefinitely Postponed.

—*Unpublished Legislative Documents, 1816.*

6. THE GRIFFIN FREE SCHOOL—1816-1840.

**GRIFFIN VS. GRAHAM AND OTHERS—FROM
JOHNSTON.**

IN EQUITY.

Moses Griffin* made his will, containing the following devises and bequests: "I appoint E. G., W. G., &c., trustees of my estate, and executors of my will—I give the remainder of my estate" (after certain legacies and payment of his debts) "to my said trustees and executors, in trust, to be managed by them to the best advantage for the purpose hereinafter mentioned. I desire my landed property shall not be sold, but rented out to the best advantage. I desire that my trustees and executors, out of the issues and profits of my estate, real and personal, shall purchase two acres of ground in Newbern, and as soon as the funds arising from the profits of my estate be deemed by them sufficient to make a commencement, that a brick house shall be erected on said land, suitable for a school room, and finished in a plain manner, fit for the accommodation of indigent scholars, and be called 'Griffin's Free School.' And it is my desire, that as soon as the house is finished, and the funds arising from the profits of my estate will admit, a proper schoolmaster shall be employed to teach and educate therein, as many orphan children, or the children of poor and indigent parents, who, in the judgment of my trustees are best entitle to the donation, as the funds are equal to—and it is my wish to clothe and maintain the indigent scholars as well as school them; and when they shall arrive at the age of fourteen, it is my desire that my executors bind them out to suitable occupations. And to prevent misconception, my meaning is, that the amount of my estate, real and personal, be considered as a principal sum, and remain undiminished forever; and

* Died in 1816.

that the issues and profits only shall be appropriated to the support of the said free school. And it is my desire, that all interest arising from money, shall be put out at interest again, and be deemed principal, and continue at interest until, by my executors, it shall be deemed sufficient to put the institution in operation."

The heirs at law and next of kin, filed this bill against the executors and trustees, praying to have the trusts declared void, and that the Defendants might be declared the trustees for them and for an account.

Held by a majority of this Court, that the Statute of the 43d of Elizabeth, c. 4, is in force in this State, and that the Court of Equity, by virtue of it, has jurisdiction of all charities.

Held also, that independent of that statute, and though the jurisdiction of charities in England belong to the Court of Chancery, not as a Court of Equity, but as administering the prerogative of the Crown, the Court of Equity of this State hath the like jurisdiction: for, upon the revolution, the political rights and duties of the King devolved upon the people in their sovereign capacity; and they, by their representatives, have placed this power in the Courts of Equity, by the acts of Assembly of 1778, c. 5, and 1782, c. 11.

But if this were not so: *it is further held*, that as there are trustees and a trust for a definite charity, and a specific object pointed out, the Court would, as a mere matter of trust, take cognizance in this case, by virtue of its ordinary jurisdiction as a Court of Equity.

Held also, that, if the Court of Equity had no jurisdiction of charities, as such, nor of a trust relating to them, and could not, upon a bill by the trustees or others establish the charity by decree, yet, inasmuch as the estate of the trustees is good at law, and the condition or the trust is certain and not unlawful, no trust results, in this case,

for the heir or next of kin: and therefore the bill is dismissed.

Held also, that this will doth not create a perpetuity: for the trustees have the power of alienation—and though notice to the purchaser might effect him in Equity, yet that, being a circumstance collateral to the power of selling, will not affect the question of perpetuity: and the clauses in the bill of rights and constitution, were designed only to prevent dangerous accumulations of individual wealth, and referred to estates-tail alone: the establishment of *a permanent fund for charitable uses* does not come within the mischief, and is not prohibited by either of these clauses, nor by the common law.

—*North Carolina Reports, Hawks' Law and Equity, June Term 1820, Vol. XIII, pp. 96-97.*

CHAPTER LV.

AN ACT TO INCORPORATE THE TRUSTEES OF GRIFFIN'S FREE SCHOOL.

Whereas Moses Griffin, late of the town of Newbern, by his will devised all the residue of his estate to Edward Graham, William Gaston, John Devereux, Francis Hawks, and John Oliver upon trust, that they should, out of the rents and profits of his estate, both real and personal, purchase two acres of land in some convenient and healthy place near the town of Newbern; and as soon as the funds arising from the issues and profits of his said estate should be deemed by the said trustees sufficient, that they should erect a brick house one and a half story high upon the said two acres of land, which said house the said testator directed to be thirty feet long and twenty feet wide, and to have a large room suitably furnished for a school room laid off on the first floor, the remainder of said house to be furnished in a plain manner fit for the accommodation of indigent scholars; which house should be called Griffin's Free School. And whereas also the said testator

directed further that as soon after the erection of the said house, as the funds arising from the issues and profits of his estate, both real and personal should admit of, a schoolmaster should be employed for the purpose of teaching and educating therein as many orphan children or the children of such poor and indigent persons as were unable to accomplish it by their own means, and who in the judgment of the said trustees were best entitled to the benefit of said donation, as the funds might be found equal to; with a further direction to the said trustees that the said poor and indigent children should be boarded, clothed and apprenticed from the rents and profits of his estate, whenever the funds arising therefrom should be sufficient; with a permission by the said testator that the schoolmaster who might be employed by his said trustees should receive from the parents and guardians of twenty-five scholars other than indigent ones, such tuition as he might make terms for.

And whereas the said Edward Graham and Francis Hawks have died since their said testator, and it is desirable that the said trustees should have a perpetual succession: Therefore,

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That William Gaston, John Devereux, John Oliver, George S. Attmore, George Wilson, James C. Cole, John N. Roberts, John T. Lance and John M. Bryan, be, and they are hereby constituted a body corporate and politic, by the name of the Trustees of Griffin's Free School; and shall have a perpetual succession and a common seal; and be in law capable of suing and being sued, impleading or being impleaded, in all courts either of law or equity; and may take and receive from the said surviving trustees, or the personal representatives of those who are dead, conveyances and assignments for all the lands,

funds, stocks or choses in action which they hold from the said testator; and further may take and receive, either by gift or will, any personal estate, funds or choses in action which may be given to them for the use of the said school.

11. *And be it further enacted*, That upon the death or removal of any of the said trustees, or upon any of them refusing to act in the said trust, the vacancy thus created shall be filled by the remaining trustees.

111. *And be it further enacted*, That five of the said trustees shall be a quorum, for the transaction of all business.

IV. *And be it further enacted*, That the said trustees may elect a secretary and treasurer, who shall give bond, satisfactory to the trustees, for the faithful discharge of his duties as secretary and treasurer, and who shall receive such compensation as may be settled by the said trustees.

And whereas it is represented that a suit in equity is now pending for the purpose of ascertaining the amount of the assets of the said Moses Griffin, which may be in the hands of John Devereux or John Oliver, survivors of his executors who proved the said will, or which may have come to the hands of Edward Graham or Francis Hawks:

V. *Be it further enacted*, That when the accounts in the said suit have been taken and a final decree passed therein, it shall and may be lawful for the said surviving trustees, or the executors or administrators of those who are dead, to pay any balance in their hands to the secretary and treasurer of the corporation hereby created; and the receipt of such secretary and treasurer shall be a final discharge to the said trustees or said executors or administrators for the amount thus paid: Provided always, and it is hereby declared, that the said will of the said Moses Griffin, as above recited shall be held and deemed to be the fundamental law of the said corporation: And provided

further, that this act shall not be in force unless the surviving executors and trustees of the said Moses Griffin shall, within twelve calendar months after the passage thereof, file in the office of the Secretary of the State their assent in writing to the same.

—*Laws of 1833-34, chapter LV, pp. 54-55.*

1817

- 1. GOV. MILLER'S MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. MURPHEY'S REPORT ON EDUCATION.**
- 4. WALKER'S REPORT ON EDUCATION.**
- 5. MURPHEY'S BILL TO DIFFUSE KNOWLEDGE.**
- 6. FEMALE BENEVOLENT SOCIETY OF WILMINGTON.**
- 7. LOTTERY FOR SMITHVILLE ACADEMY REFUSED.**

1. GOV. MILLER'S MESSAGE ON EDUCATION.

To enlighten the public mind in a free government, has ever been held the surest mode of perpetuating the blessings of that government. In proportion as each individual in a community is informed, just in that proportion is he calculated to appreciate the benefits derived from the community. To devise a plan by which instruction may be extensively diffused, occupied some portion of the attention of the last Legislature; and as the subject may again be submitted for consideration, it may not be unreasonable for me thus to invite your attention to it in a particular manner.

Blessings of free government dependent on education.

Attention invited to consideration of a plan of public instruction.

—*House Journal*, 1817.

2. ASSEMBLY COMMITTEES ON EDUCATION.

Senate committee. The Senate Committee on Education: Thomas Wynns, Hertford; Archibald D. Murphey, Orange.

—*Senate Journal 1817-18, p. 8.*

House committee. House Committee on Education: Alfred Moore, Brunswick; David F. Caldwell, Iredell; Hutchins G. Burton, Halifax; and Stephen L. Ferrand, Salisbury.

—*House Journal, 1817-18, p. 14.*

3. MURPHEY'S REPORT ON EDUCATION.

Saturday, Nov. 29, 1817.—Mr. Murphey handed in the following report:

The Committee to whom were referred so much of the Message of his Excellency the Governor, as relates to public instruction, Report In Part:

That we have much reason to thank Providence for the arrival of a period, when our country enjoying peace with foreign nations and free from domestic inquietude, turns her attention to improving her physical resources, and the moral and intellectual condition of her citizens. The war of party spirit which for twenty years has disturbed her tranquility and perverted her ambition, has terminated; and political strife has yielded its place to an honorable zeal for the public welfare. Enlightened statesmen will avail themselves of this auspicious period to place the fortunes of the State upon a basis not to be shaken; to found and cherish institutions which will guarantee to the people the permanence of their government, and enable them to appreciate its excellence. The legislature of North Carolina, giving to their ambition an honorable direction, have resolved to improve this period for the best interests of the State; to adopt and carry into effect liberal plans of internal improvements; to give encouragement to literature, and to diffuse the lights of knowledge among all classes of the community. Let us foster the spirit which has gone abroad; it will lead to the happiest results. If we ourselves should not live to witness them, and of seeing our children receive from our hands a country growing rich in physical resources, and advancing in moral and intellectual excellence. This is the true way of giving strength and permanence to the government; of giving to it roots in the hearts of the people, and nurturing it with their affections. What people will not love a government

Zeal for the public welfare has taken place of war and political strife.

Sentiment now in favor of internal improvements and education.

The people will love a government ambitious for their happiness.

whose constant solicitude is for their happiness, and whose ambition is to elevate their character in the scale of intelligent beings. Having commenced this great work of Humanity, let us persevere in it with a patience that shall not tire, and with a zeal that shall not abate; praying to the Father of all good, that he will enlighten and direct our course and finally crown our labors with success.

Committee have prepared a system of public instruction for all, in schools, from highest to lowest.

Your committee have entered upon the duties assigned to them with a full conviction of their importance, and of the difficulties which attend their discharge. But believing that let the subject be taken up when it may, those difficulties will exist, and availing themselves of the light thrown upon the subject by the wisdom of others, they have prepared a system of public instruction for North Carolina, which with much deference they beg leave to submit to the consideration of the General Assembly. In digesting this system they have adhered to the general principles of the report on this subject, submitted by the committee to the last Legislature, and have embraced a provision for the poor as well as the rich, and a gradation of schools from the lowest to the highest.

Ample funds and board of administration necessary.

To give effect to any plan of general education, it is essentially necessary that ample funds be provided, and that these funds and also the execution of the general plan, be committed to the care and direction of a board composed of intelligent and efficient men. Your committee reserve for a more special report their views with respect to the creation of a fund for public instruction. This subject requires a minuteness of detail, which would only embarrass the general views which it is now their object to present to the consideration of the General Assembly.

Outline of plan of instruction.

Your committee have considered the subject referred to them under the following divisions:

1. The creation of a fund for Public Instruction.
2. The constitution of a board to manage the fund and to carry into execution the plan of public instruction.

3. The organization of schools.
4. The course of studies to be prescribed for each.
5. The modes of instruction.
6. The discipline and government of the schools.
7. The education of poor children at the public expense.
8. An Asylum for the deaf and dumb.

Having reserved for a more special report the creation of a fund for public instruction, your committee will first submit their views with respect to the constitution of a board for the management of this fund, and the execution and superintendence of the general plan of education which they recommend.

Views on school fund reserved for special report.

THE BOARD OF PUBLIC INSTRUCTION.

As the whole community will be interested in the plan of education, the members of the board should be selected from different parts of the State. They have charge of all our literary institutions; and to give more weight and respectability to their deliberations and resolves, the governor of the State should be placed at their head. It will be their province to manage and apply the fund committed to their care, to carry into execution from time to time as it shall be found practicable, the different parts of the plan of public education; to superintend the same when in full operation; to prescribe general rules and regulations for the discipline and government of the schools; to make annual reports to the Legislature of their proceedings and of the state of the schools under their charge. Your committee do therefore recommend—

Board, with Governor as the head, to have charge of schools and the school fund.

- 1st. That there shall be elected by joint ballot of the two Houses of the General Assembly, six directors who shall be styled, "The board of public instruction"; that three of the directors shall reside at or to the eastward of the city of Raleigh, and three shall reside at or to the westward thereof.

Assembly to elect the board of six.

Governor *ex-officio*
president.

2d. That the governor for the time being, shall be *ex officio* president of the board; but the board may appoint a vice-president who shall preside in the absence of the governor.

Secretary to be
appointed.

3d. The board shall appoint a secretary and such other officers as may be necessary for conducting their business, who shall receive a reasonable compensation for their services.

Compensation of
members of board;
annual and other
meetings.

4th. Until otherwise ordered, the members of the board shall receive the same compensation for their traveling to and from the place of their meeting; and the same per diem during their attendance on the board, as is now allowed by law to members of the General Assembly. They shall hold an annual meeting in the city of Raleigh at or near the time of meeting of the General Assembly. The president of the board may at his own pleasure, or shall at the request of any two of the directors thereof, convene extra meetings of the board for the transaction of any extraordinary business. A majority of the whole number of directors shall be necessary to constitute a board for the transaction of business, but the president or any single director may adjourn from day to day until a board is formed.

Board may make
rules and
alter them.

5th. The board may at any time enact, alter or amend such rules as to them may seem proper for the purpose of regulating the order of their proceedings; they may adjourn for any period or meet at any place, where they may think the public interests shall require. They shall have power subject to the limitations to be provided by law, to establish and locate the several academies directed by law to be established; to determine the number and titles of the professorships therein; to examine, appoint and regulate the compensation of the several professors and teachers; to appoint in the first instance the trustees of the several academies and primary schools, according to such general rules as shall be established by law; to

Board to have
power to locate
all schools, fix
salaries of teachers
appoint trustees,
and devise plan
of promotion from
lower to higher
schools.

provide some just and particular mode of advancing from the primary schools to the academies, and from academies to the university, as many of the most meritorious children educated at the public expense, as the proceeds of the fund for public instruction may suffice to educate and maintain, after the whole system of public instruction hereby recommended, shall be put into operation; to manage the fund for public instruction, and apply its proceeds in carrying into execution and supporting the plan of education committed to their care; and in giving effect to this plan, the board shall regard the primary schools at its foundation, and care shall be taken that the proceeds of the fund for public instruction shall not be applied to the establishment of any academy, so long as it is probable that such application may leave any primary school unprovided for. And the board shall have power to enact, alter or amend such bye-laws, rules and regulations relative to the various subjects committed to their trust, as to them may seem expedient: Provided the same be not inconsistent with the laws of the State; and they shall recommend to the General Assembly from time to time, such general laws in relation to public instruction, as may in their opinion, be calculated to promote the intellectual and moral improvement of the State.

6th. The directors of the board of public instruction for the time being shall, *ex officio*, be trustees of the university of this State.

Members of board
ex-officio trustees
of the University.

7th. The treasurer of the State shall have charge of the fund for public instruction, and the proceeds thereof shall be paid upon warrants drawn by the president of the board; and all expenses incurred in carrying into effect the system of public instruction and supporting the same, shall be charged upon this fund and paid out of the proceeds thereof.

Treasurer of state
to have charge
of school fund.

8th. The board of public instruction shall annually submit to the General Assembly at or near the commence-

Board to make
annual report of
condition of
public education.

ment of their session, a view of the state of public education within the State, embracing a history of the progress or declension during the year next preceding, and illustrating its actual condition and future prospects; and also setting forth the condition of the fund committed to their trust for public instruction.

Board to be a corporation.

9th. The board of public instruction shall be a body politic in law; shall have a common seal and perpetual succession; shall by the name and style of "The Board of Public Instruction," be capable of suing and being sued, pleading and being impleaded; and shall have and enjoy all the rights and privileges of a corporation.

THE ORGANIZATION OF SCHOOLS.

General outline of course of study in three classes of schools.

In arranging the system of schools, your committee have endeavored to make the progress of education natural and regular; beginning with primary schools, in which the first rudiments of learning are taught, and proceeding to academies, in which youth are to be instructed in languages, ancient and modern history, mathematics and other branches of science, preparatory to entering into the University, in which instruction is to be given in all the higher branches of the sciences and the principles of the useful arts.

Impossible to locate a primary school convenient to every family.

In making this arrangement the greatest difficulties have occurred in organizing the primary schools. These difficulties arise from the condition of the country and the State of its population; it being found impossible to divide the State into small sections of territory, each containing an adequate population for the support of a school. Any attempt to divide the territory of the State into such small sections, with a view of locating a school in each, would prove unavailing; and however desirable it may be, that a school should be established convenient to every family, the time has not arrived when it can be done. The primary schools are of the first importance in any

The primary schools first in importance.

general plan of public education; every citizen has an interest in them, as the learning is indispensable to all, of reading, writing and arithmetic, is here to be taught. By judicious management and a proper selection of books for children while they are learning to read, much instruction in their moral and religious duties may be given them in these schools. Your committee have diligently examined the plans of public instruction which have been submitted to the General Assembly of our sister State, Virginia, and also those which have been carried into effect in some of the New England States; they have also examined the plan which was drawn up and adopted by the national convention of France, and which now forms the basis of public instruction in all of the communes of that empire; and deriving much aid from this examination upon every part of the subject referred to them, they have suggested a system which they hope may be found to suit the conditions of North Carolina. In designating the schools of different grades, they have adopted the names in common use. Your committee do therefore recommend that as to

Committee has
studied other
school systems

THE PRIMARY SCHOOLS.

1. That each county in this State be divided into two or more townships; and that one or more primary schools be established in each township, provided a lot of ground not less than four acres and a sufficient house erected thereon, be provided and vested in the board of public instruction. And that every incorporated town in the State containing more than one hundred families, shall be divided into wards. Such town containing less than one hundred families shall be considered as forming only one ward. Each ward upon conveying to the board of public instruction a lot of ground of the value of two hundred and fifty dollars, shall be entitled to the benefits and privileges of a primary school.

Counties to be
divided into town-
ships; one or more
schools to be es-
tablished in
each and in towns;
houses and land
to be donated.

Five township trustees to manage schools and select children to be educated.

2. The Court of Pleas and Quarter sessions shall annually elect for each township in their respective counties, five persons as trustees of the primary schools to be established in such county, who shall have power to fix the sites of the primary schools to be established thereon, superintend and manage the same, make rules for their government, appoint trustees, appoint teachers, and remove them at pleasure. They shall select such children residing in their township, whose parents are unable to pay for their schooling, who shall be taught at the said schools for three years without charge. They shall report to the board of public instruction, the rules which they may adopt for the government of said schools, and shall annually report to the said board the state of the schools, the number and conduct of the pupils educated at the public expense, such books, stationery and other implements for learning, as may be necessary.

Each teacher's salary to be \$100.

4. The teacher of each primary school shall receive a salary of one hundred dollars, to be paid out of the fund for public instruction.

This plan divides the expense of schools between individuals and the public.

This plan for establishing primary schools is simple, and can easily be carried into execution. It divides the expenses of these schools between the public and those individuals for whose immediate benefit they are established; it secures a regular stipend to the teachers, and yet holds out inducements to them to be active and faithful in their calling; and it enables every neighborhood, whether the number of its inhabitants be few or many, to have a primary school, at the cheap price of a small lot of ground, and a house erected thereon, sufficient for the purpose of the school. Were these schools in full operation in every section of the State, even in the present state of our population, more than fifteen thousand children would annually be taught in them. These schools would be to the rich a convenience, and to the poor, a blessing.

Number of children to be taught.

ACADEMIES.

After children shall have gone through the course of studies prescribed for the primary schools, those of them who are to be further advanced in education, will be placed in the Academies, where they will be instructed in languages, ancient and modern history, mathematics and other branches of science preparatory to their entering into the University. The Academies shall be located in different districts of the State for the convenience of the people, and the expenses of purchasing suitable sites and erecting thereon the necessary buildings, shall be divided between the public at large and the several districts. Private liberality has of late erected many small Academies in the State, which deserve the consideration and patronage of the Legislature. From the benefits which have accrued to the public from these small Academies, we may form an opinion of the good which would flow from larger institutions of the same sort, if regularly located throughout the State, and aided with suitable funds. The state of learning among us will never become respectable until we have such regular Academical institutions. Your committee do therefore recommend:

1st. That the board of public instruction shall divide the State into ten Academical districts, containing each one or more counties, and as near as practicable, an equal number of white population, and number the districts from one upwards.

2d. When in any of the districts there is an Academy established, the trustees thereof may submit to the board of public instruction, a report on the actual condition of their institution, its relative position to the boundaries of the district, the number and dimensions of the buildings, their value and state of repair, the extent of ground on which they are erected; the number and denomination of the professors and teachers employed therein, and of the pupils educated thereat. If the board should

Course in the Academies.

One in each district; houses and land to be donated.

State board to divide state into academical districts.

Board may take over private academies.

think the Academy properly situated for the benefit of the district, and that the buildings and grounds will answer their intended purposes, notice thereof shall be given to the trustees; and upon conveyance being made of the said ground and houses to the board of public instruction, the academy shall be entitled to the same benefits which may be extended to any academy that may be erected, and shall be subject to the same rules and regulations in relation to the government thereof, which the board of public instruction or the General Assembly may provide for the general government of the Academies of the State. But the trustees of such academies may continue to hold their offices and to supply vacancies occurring in their body.

Board may appropriate one-third value of private buildings for repairs.

3d. In case the buildings of any academy already established and so accepted by the board of public instruction require repair or any alteration or enlargement, the board shall appropriate a sum sufficient to repair, alter or enlarge the said buildings, provided the sum so appropriated shall not exceed one-third part of the value of the entire buildings, when so altered, repaired, or enlarged. The alterations or enlargement of the buildings shall be planned by the board of public instruction and executed according to their order.

Board may contribute one-third to erect new buildings.

4th. In any academical district where there is no academy now established, or none which the board of public instruction shall think will answer their intended purpose, the board may accept a lot of ground, of sufficient extent in their estimation, and conveniently situated for the erection of an academy for the district provided that two-third parts of the sum required for the erection of suitable buildings for the said academy be previously subscribed by one or more persons, and the payment thereof assured to the board of public instruction.

Eleven trustees to be appointed by board to manage each academy.

5th. When any conveyance of the lot of ground on which the buildings are erected, shall be accepted of by the board, they shall appoint eleven persons residing

within the district, trustees of the Academy, who shall be deemed a body corporate by such title as the board of public instruction shall prescribe; shall have and enjoy all the rights and privileges of a corporation; shall have power to elect a president from their own body, and to fill all vacancies which occur therein. They may make, alter or amend such bye-laws, rules and regulations as they shall deem necessary or expedient, for the government of their own body, and of the professors, teachers and pupils of the academy of which they have charge; provided they be not inconsistent with such general regulations as the board of public instruction may provide for the general government of the academies of the State.

6th. The trustees shall provide by contract for the erection of the necessary buildings of their academy, and appoint a treasurer who shall have authority to collect the several sums subscribed thereto, and shall be entitled to receive in virtue of their order upon the board of public instruction, signed by their president such sums of money as the board may, from time to time appropriate for the erection of the buildings, their repairs or alterations, salaries of professors and teachers, and other purposes of the academy.

Powers of trustees
of an academy.

7th. As soon as any academy is ready for the admission of pupils, the trustees may recommend to the board of public instruction, any person to be a professor or teacher therein, who, if approved after examination, in some mode to be prescribed by the board, shall be regarded as a professor or teacher of such academy, but subject to removal at the pleasure of the trustees or the board. Where vacancies shall occur among the professors or teachers during the recess of the board, the trustees may make temporary appointments, to be confirmed or disapproved by the board at their next session.

Method of select-
ing teachers.

8th. The trustees of any academy may fix the salaries of their respective teachers, subject to the control of the

One-third of
salaries to be paid
by academy board.

board of public instruction; one third part of the salaries shall be paid by the board at such times and in such way as they shall prescribe.

Certain pupils to be taught free.

9th. The professors and teachers in any academy shall be bound to instruct, free of charge for tuition, the pupils whom the board of public instruction may designate to be taught in said academy at the public expense.

Summary of plans as to academies.

Your committee have perhaps gone into unnecessary details respecting the academies. Their plan simply is, to divide the State into ten academical districts, and that one academy be erected in each; that the State shall advance one-third of the sum required for the erection of necessary buildings, and one-third of the sum to be paid in salaries to professors and teachers, making it their duty to teach poor children free of charge.

THE UNIVERSITY.

What it has done.

This institution has been in operation for twenty years, and has been eminently useful to the State. It has contributed perhaps more than any other cause, to diffuse a taste for reading among the poor, and excite a spirit of liberal improvement; it has contributed to change our manners and elevate our character; it has given to society many useful members, not only in the liberal professions, but in the walks of private life; and the number of pupils who are honored with seats in this legislature is a proof of the estimation in which they are held by their fellow citizens. When this institution was first founded, it was fondly hoped that it would be cherished with pride by the legislature. But unfortunately the nature of the funds with which it was endowed, in a short time rendered it odious to some, and cooled the ardor of others. The torrent of prejudice could not be stemmed; the fostering protection of the legislature was withheld and the institution left dependent upon private munificence.

Why legislature withdrew its support.

Private donations.

Individuals contributed not only to relieve its necessi-

ties, but to rear up its edifices and establish a permanent fund for its support. At the head of these individuals stood the late Governor Smith, Charles Gerard and Gen. Thomas Person. The first two made valuable donations in lands, and the last, with a sum of money, with which one of the halls at the university has been erected. To enable them to complete the main edifice, the trustees have been compelled to sell most of the lands devised to them by Mr. Gerard, and as the lands conveyed to them by Governor Smith lie within the Indian boundary, the trustees have not been able as yet to turn them to a productive account. With the aid thus derived from individuals, together with the occasional funds derived from escheats, the institution has progressed thus far. The Legislature after exhausting its patience in endeavoring to collect the arrearages of debts due to the State, transferred to the university those arrearages, with the hope that they would be able to enforce payment. But no better fortune has attended their efforts than those of the State, and this transfer has proved of no avail to the institution. The surplus remaining in the hands of administrators where the next of kin have made no claim within seven years, have also been transferred to the trustees; but this has yet yielded a very small fund and probably never will yield much. The legislature have enlarged the rights of inheritance, and in this way have nearly deprived the institution of the revenue from escheats. Amidst all these embarrassments, the trustees have never lost sight of the necessity of accumulating a fund in bank stock, the annual proceeds of which would enable them to continue the operations of the institution; and they have succeeded so far as to be able to support two professorships, and employ two or three tutors. But there is little prospect of adding to this fund, until the lands given by Governor Smith can be sold; and if that period be waited for, the institution must necessarily languish and sink in

Escheats and
other funds.

Present condition
of the school.

respectability. It is at this moment almost destitute of a Library, and entirely destitute of Apparatus necessary for instructing youth in mathematical and physical sciences. Add to this, that one half of the necessary buildings have not been erected.

The benefit of
higher education.

In this state of things and at a moment when former prejudices have died away, when liberal ideas begin to prevail, when the pride of this State is awakening and an honorable ambition is cherished for her glory, an appeal is made to the patriotism and the generous feelings of the Legislature in favor of an institution, which in all civilized nations, has been regarded as the nursery of moral greatness, and the palladium of civil liberty. That the people who cultivate the sciences and the arts with most success, acquire a most enviable superiority over others. Learned men by their discoveries and works give a lasting splendor to national character; and such is the enthusiasm of man, that there is not an individual, however humble in life his lot may be, who does not feel proud to belong to a country honored with great men and magnificent institutions. It is due to North Carolina, it is due to the great man who first proposed the foundation of the University, to foster it with parental fondness and give to it an importance commensurate with the high destinies of the State. Your committee deem this subject of so much interest, that they beg leave in a future report to submit to the two houses a plan for increasing the funds of the University.

The need of
secondary schools
to prepare for the
university.

This institution has uniformly labored under the double disadvantages of a want of funds, and the want of subsidiary institutions, in which youth could be instructed preparatory to their entering upon a course of the higher branches of science in the University. This latter disadvantage has been so great, that the trustees have been compelled to convert the University, in part into a grammar school. This disadvantage has been of late removed in

part, by the establishment of academies in different parts of the State; but it will continue to be much felt, until regular academical institutions shall be made and the course of study prescribed for them.

Another serious disadvantage and a consequence of the one last mentioned, is the necessity which the peculiar state of academical learning has imposed upon the trustees, of conferring the honorary degrees of an University upon young men who have not made that progress in the sciences, of which their diploma purports to be a testimonial. This is an evil which is found in almost all of the Universities of the Union. A young man enters into an University with only slight acquirements in classical education, and after remaining four years, during which time he is instructed in only the outlines of the general principles of science, he receives a degree: the consequence is that he leaves the University with his mind trained only to general and loose habits of thinking: and if he enters into professional life, he has to begin his education anew. The great object of education is to discipline the mind, to give to it habits of activity, of close investigation: in fine, to teach men to think. And it is a reproach upon almost all the literary institutions of our country, that the course of study pursued in them teaches most young men how to become literary triflers. Their multifarious occupations dissipate their time and attention: They acquire much superficial knowledge; but they remain ignorant of the profounder and more abstract truths of philosophy. Indeed, the road to the profound sciences is of late so infested with pleasant elementary books, compilations, abridgements, summaries and encyclopedias, that few, very few in our country ever travel it.

To remove this reproach upon the state of learning among us, a new plan of instruction in our university must be organized; a plan which shall give to the different classes in the institution, an arrangement founded

Defects of the
present college
courses.

New plan of in-
struction necessary

upon a philosophical division of the present improved state of knowledge; and which in its execution shall train the mind both to liberal views and minute investigation.

Needs of the university.

Your committee have been thus particular in submitting to the two houses an exposition of the actual condition of the university, with a view of recalling their consideration to the solemn injunction of the constitution as to every part of the subject referred to them; "That a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities." Our university is the only institution which the legislature has yet founded and endowed in compliance with this injunction; but even as to this institution the spirit of the constitution is far from being complied with. We have not buildings for the accommodation of youth, nor books, nor apparatus for their instruction—your committee do therefore recommend,

Three new buildings, library, etc.

1st. That three additional buildings be erected at the university; two for the accommodation of students and one for the library and apparatus. This last building to contain suitable rooms for the delivery of lectures by the different professors.

2d. That a library and suitable apparatus for instructing youth in the mathematical and physical sciences, be procured for the use of said institution.

More funds and teachers.

3d. That funds be assigned for endowing to (two) professorships, and supporting six additional teachers.

These are the present wants of the University; as our population encreases, the number of buildings must be encreased, and more funds be provided for supporting teachers. In a subsequent part of this report your committee have recommended that there be four classes in the university with a professor at the head of each, who shall

be assisted with such adjunct professors or teachers, as the state of the institution may require.

THE COURSE OF STUDY.

1st. In the primary schools should be taught reading, writing and arithmetic. A judicious selection of books should from time to time be made by the board of public instruction for the use of small children; books which shall excite their curiosity and improve their moral dispositions. And the board should be empowered to compile and have printed for the use of primary schools, such books as they may think will best subserve the purposes of intellectual and moral instruction. In these books should be contained many of the historical parts of the old and new testament, that children may early be made acquainted with the books which contains the word of truth, and the doctrines of eternal life.

Courses in the primary schools.

2d. In the academies should be taught the Latin, Greek, French and English languages, the higher rules of arithmetic, the six first books of Euclid's elements, Algebra, Geography, the elements of Astronomy, taught with the use of the Globes, ancient and modern history. The basis of a good education is classical and mathematical knowledge; and no young man ought to be admitted into the university without such knowledge.

Courses in the academics.

3d. In the university the course of study should occupy four years; and there should be four classes to be designated.

Courses in the university.

1st. The class of languages—In this class should be studied, 1st. the more difficult Latin, Greek and French classics: 2d. Ancient and Modern history: 3d. Belles letters: 4th. Rhetoric.

2d. The class of mathematics—in this class should be studied, 1st. Pure mathematics: 2d. Their application to the purposes of physical science.

3d. The class of physical sciences—In this class should be taught, 1st. Physics: 2d. Chemistry: 3d.

The philosophy of natural history: 4th. Mineralogy: 5th. Botany: 6th. Zoology.

4th. The class of moral and political science—In this class should be taught. 1st. The philosophy of the human mind: 2d. Morals: 3d. The laws of nature and of nations: 4th. Government and legislation: 5th. Political economy.

THE MODES OF INSTRUCTION.

Understanding of
mental science
necessary to
correct method.

The great object of education is intellectual and moral improvement; and that the mode of instruction is to be preferred which best serves to effect this object. That mode is to be found only in a correct knowledge of the human mind, its habits, passions, and manner of operation. The philosophy of the mind, which in ages preceding has been cultivated only in its detached branches has of late years received form and system in the schools of Scotland. This new science promises the happiest results. It has sapped the foundation of scepticism by establishing the authority of those primitive truths and intuitive principles, which form the basis of all demonstration; it has taught to man the extent of his intellectual powers, and marking the line which separates truth from hypothetical conjecture, has pointed out to his view the boundaries which Providence has prescribed to inquiries. It has determined the laws of the various faculties of the mind, and furnished a system of philosophic logic for conducting our enquiries in every branch of knowledge.

Pestalozzi and
Lancaster.

This new science has given birth to new methods of instruction; methods which being founded upon a correct knowledge of the faculties of the mind, have eminently facilitated their development. Pestalozzi of Switzerland and Joseph Lancaster of England, seem to have been most successful, in the application of new methods to the instruction of the children. Their methods are different but each is founded upon a profound knowledge of the human mind. The basis of each method is, *the excite-*

ment of the curiosity of children; thereby awakening their minds and preparing them to receive instruction. The success which has attended the application of their methods, particularly that of Lancaster has been astonishing. Although but very few years have elapsed since Lancastrian schools were first established, they have spread over the British empire, extended into the continent of Europe, the Island of St. Domingo, and the United States. Various improvements in the details of his plan have been suggested by experience and adopted; and it is probable that in time, his will become the universal mode of instruction for children. The Lancastrian plan is equally distinguished by its simplicity, its facility of application, the rapid intellectual improvement which it gives, and the exact discipline which it enforces. The moral effects of the plan are also astonishing; exact and correct habits are the surest safeguards of morals; and it has often been remarked, that out of the immense number of children and grown persons instructed in Lancaster's schools, few, very few have ever been prosecuted in a court of justice for any offense. Your committee do therefore recommend that whenever it be practicable, the Lancastrian mode of instruction may be successfully introduced into the primary schools. The general principles of this method may be successfully introduced into the academies and university; and your committee indulge the hope, that the board of public instruction, and the professors and teachers in these respective institutions, will use their best endeavors to adopt and enforce the best methods of instruction which the present state of knowledge will enable them to devise.

Methods of
Lancaster recom-
mended for
primary schools.

THE DISCIPLINE AND GOVERNMENT OF THE SCHOOLS.

Obedience to law
should be in-
culcated.

In a republic, the first duty of a citizen is obedience to the law. We acknowledge no sovereign but the law, and from infancy to manhood our children should be taught to bow with reverence to its majesty. In childhood parental authority enforces the first lesson of obedience; in youth

this authority is aided by the municipal law which in manhood wields the entire supremacy. As the political power and the social happiness of a state depend upon the obedience of its citizens, it becomes an object of the first importance to teach youth to reverence the law, and cherish habits of implicit obedience to its authority. Such obedience not only contributes to the strength and tranquility of the state, but also constitutes the basis of good manners, of deference and respect in social intercourse. But in our country, youth generally become acquainted with the freedom of our political institutions, much sooner than with the principles upon which that freedom is bottomed, and by which it is to be preserved; and few learn until experience teaches them in the school of practical life, that true liberty consists not in doing what they please, but in doing that which the law permits. The consequence has been, that riot and disorder have dishonored almost all the colleges and Universities of the Union.

Measures should
be taken to sup-
press disorder.

The temples of science have been converted into theatres for acting disgraceful scenes of licentiousness and rebellion. How often has the generous patriot shed tears of regret for such criminal follies of youth? Follies which cast reproach upon learning and bring scandal upon the State. This evil can only be corrected by the moral effects of early education; by instilling into children upon the first dawns of reason, the principles of duty, and by nurturing those principles as reason advances, until obedience to authority shall become a habit of their nature. When this course shall be found ineffectual the arm of the civil power must be stretched forth to its aid.

Discipline at the
university.

The discipline of a University may be much aided by the arrangement of the buildings, and the location of the different classes. Each class should live together in separate buildings, and each to be under the special care of its own professors and teachers. A regular system of subor-

dination may in this way be established; each class would have its own character to maintain, and the *Esprit de Corps* of the classes would influence all their actions. Similar arrangements may in part, be made in the several academies, and the like good effect expected from them.

The amusements of youth may also be made auxiliary Athletics. to the exactness of discipline. The late president of the United States, Mr. Jefferson, has recommended upon this part of the subject, that through the whole course of instruction at a college or university, at the hours of recreation on certain days, all the students should be taught the manual exercise, military evolutions and manœuvres, should be under a standing organization as a military corps, and with proper officers to train and command them. There can be no doubt that much may be done in this way towards enforcing habits of subordination and strict discipline—it will be the province of the board of public instruction, who have the general superintending care of all the literary institutions of the state, to devise for them systems of discipline and government; and your committee hope that they will discharge their duty with fidelity.

THE EDUCATION OF POOR CHILDREN AT THE PUBLIC EXPENSE.

One of the strongest reasons which we can have for establishing a general plan of public instruction, is the condition of the poor children of our country. Such has always been and probably always will be the allotment of human life, that the poor will form a large portion of every community; and it is the duty of those who manage the affairs of a state, to extend relief to this unfortunate part of our species in every way in their power.

Duty of the state
to educate the
poor.

Providence, in the impartial distribution of its favors, whilst it has denied to the poor many of the comforts of life, has generally bestowed upon them the blessing of intelligent children. Poverty is the school of genius; it is

a school in which the active powers of man are developed and disciplined, and in which that moral courage has acquired, which enables him to toil with difficulties, privations and want. From this school generally come forth those men who act the principal parts upon the theatre of life; men who impress a character upon the age in which forms grows up in it. The State should take this school under her special care, and nurturing the genius which there grows in rich luxuriance, give to it an honorable and profitable direction. Poor children are the peculiar property of the State, and by proper cultivation they will constitute a fund of intellectual and moral worth which will greatly subserve the public interest. Your committee have therefore endeavored to provide for the education of all poor children in the primary schools; they have also provided for the advancement into the academies and university, of such of those children as are most distinguished for genius and give the best assurance of future usefulness. For three years they are to be educated in the primary schools free of charge; the portion of them who shall be selected for further advancement, shall, during the whole course of their future education, be clothed, fed and taught at the public expense. The number of children who are to be thus advanced, will depend upon the state of the fund set apart for public instruction, and your committee think it will be most advisable to leave the number to the discretion of the board, who shall have charge of the fund; and also to leave to them the providing of some just and particular mode of advancing this number from the primary schools to the academies, and from the academies to the university.

Those educated beyond primary schools to be fed and clothed by the State.

AN ASYLUM FOR THE DEAF AND DUMB.

Humanity demands education of deaf and dumb.

If there be any of our species who are entitled to the public consideration of the government, it is surely the deaf and dumb. Since the method of instructing them in science and language has been discovered, numerous

asylums in different countries have been established for their instruction. While we are engaged in making provisions for others, humanity demands that we make a suitable provision for them. Your committee do therefore recommend that as soon as the state of the fund for public instruction will admit, the board who have charge of that fund, be directed to establish at some suitable place in the State, an asylum for the instruction of the deaf and dumb.

Your committee have now submitted to the two houses their general views upon the subject referred to them, they have proposed the creation of a fund for public instruction, the appointment of a board to manage this fund. and to carry into effect the plan of education which they have recommended. This plan embraces a gradation of schools from the lowest to the highest, and contains a provision for the education of poor children—and of the deaf and dumb.

When this or some other plan of judicious education, Benefits of education. when light and knowledge shall be shed upon all, may we not indulge the hope, that men will be convinced that wisdom's ways are ways of pleasantness and all her paths are peace; and be induced by such conviction to regulate their conduct by the rule of christian morality, of doing unto others as they wish they would do unto them; and that they will learn to do justly, to love mercy and walk humbly before their God.

Your committee will forthwith report bills to carry into effect the several measures recommended in this report.

Respectfully submitted,

Nov. 27, 1817.

A. D. MURPHEY, Chairman.

The house taking the foregoing report into consideration, *Resolved* unanimously that they do concur therewith. Senate resolution on Murphey's report. On motion of Mr. Davidson¹, *Ordered*, That the following message be sent to the House of Commons.

¹ Wm. Davidson, Mecklenburg.

Action of the
House.

Mr. Speaker—We propose that the report of the committee on that part of the Governor's message relative to public instruction be printed, one copy for each member of this General Assembly.

—*Senate Journal*, pp. 30-42.

Thursday, Dec. 4th, 1817. Received from the House of Commons the following message.

Mr. Speaker—Your proposition to have printed, the report on Public Instruction, we assent to¹.

—*Senate Journal*, 1817-18, p. 49.

¹ See House Journal for December 4, 1817, p. 40.

4. WALKER'S REPORT ON EDUCATION.

Monday, Dec. 8, 1817.—The Speaker laid before the House the following letter:
To The Honble

The Speaker of the House of Commons,
Sir,

Having been appointed by the Speakers of the two ^{Walker's letter} Houses of the Legislature, of *NO. Ca.* in obedience to a joint Resolution of that Honb^{le} body, at their last Session; a Commissioner, in common, with two other gentlemen, to digest a plan of Popular Education, and being unable to communicate with those Gentⁿ on the subject—I have deemed it my duty, through you, to lay before your Hon: body the Plan of Education herewith submitted—Accept, Sir, of my Respects

JOHN M. WALKER.

December 6th, 1817.

The report was read and ordered to be sent to the Senate with a message, proposing to have it printed, one copy ^{House resolution to print Walker's report.} for each member of the assembly.

—*House Journal*, 1817, p. 59.

To The Honorable the Legislature of North Carolina,
Gentlemen,

At a time when the American people; from St. Croix, ^{Importance of public education.} to the Mississippi, accord in estimating the vast importance of public Education. And when the Executives of every state, are annually increasing the recommendation of the subject, to the immediate representatives of the people: I cannot fail to be duly impressed with the importance of the trust, committed to me, by your honorable Speakers—Nor can I fail felicitating my fellow-citizens,

in common with your selves, in anticipation of the future, compared with a retrospect of the past.

Too long have the energies of our state lain slumbering in listless inactivity; the Legislature of 1815, has immortalized itself, by cutting the Gordian Knot which had thus bound it in torpid lethargy. That Legislature took a comprehensive view of the duties of Legislation: its predecessors had contented themselves with passing honest laws and imposing moderate taxes: this was but part of their duty: the creating new rights and new interests, constitute the most important branch of legislation. The head, the heart, the mountain, the valley, the lake, the river, are a like the common property of the state and constitute the rich mines into which the Legislators should dig and search; and like the polisher of the diamond bring the hidden treasure to light, in its true and valuable form.

Legislature of 1815
began the work
of internal im-
provements.

That legislature commenced the great work of internal improvement, on a scale which vanquished the checkered interest of locality by interesting every section in equal rights and equal privileges. Already North-Carolina begins to emerge from her dormancy; to assume her destined station among the galaxy of her sister states, whose brilliant corruscations of inventive genius, has astonished an admiring world.

Education of the
poor of first
importance.

Among the remaining objects of National importance, which that Legislature has left for its successors to accomplish, may be placed first in importance the Educating the poor.

There are few subjects on which human ingenuity has been more generally exerted, and as few, in which it has more generally failed: whether this has proceeded from the want of invention or the irremediableness of the subject, I shall proceed in the duty assigned me, stimulated by the maxim "Ex cohesione scintillum ex citat."

The resolution be-
gan a new era.

Indeed, it would be a melancholy reflection, if, while Natural science was daily enlarging, so as not to be confined by the earth nor the heavens, Moral and Political

phylosophy should be so limited as not to overcome the obstacles to human happiness, arising from ignorance.—However formidable these obstacles may have been let us not despair, for the American Revolution has opened wide the temple of Nature. Morality, Politics and Phylosophy shine on her altars with new lights. Morality, which heretofore, was confined to the narrow actions of individuals, is now made the broad basis on which is bottomed the wide Republic of America; Politics has opened her vast field of principles, and secured to the American citizens those rights and liberties, where before were only found in the pages of Antiquity, While Phylosophy, like the radiant sun, illumines the whole, enlivens the mind, and animates the genius to its utmost achievements. Witness the brilliant discoveries and inventions since our Revolution.—What age or what country can boast a Franklin, Rittenhouse, and a host of others, whose inventions have created a new era in the interest of our country, by inviting from the American farmer, to reward whose labour Nature seems to have exhausted all her stores, a portion of skill and industry to be added to the Manufacturer. Allready Europe pays tribute to our inventive genius.—In clothing her nakedness and in guiding her mariner from clime to clime, she is indebted to our inventions.—To our Rittenhouse she is indebted for the “Prophetic Planatarium,” which unlocks the arcana of the celestial world. To our Franklin she is indebted for the pointed rod which draws down innocuously the fiery wrath of Heaven, beneath our feet. These are some of the rich gifts with which Nature has adorned the genius of Columbia—Let us emulate her munificence, in improving the genius and talents of those who are unable to visit her temple. This will be national charity:—That virtue which Nations and individuals are so eloquently invited to practice, by the offer of every reward, which can awaken the present, or render happy the future life:—This will be the highest species

of charity, deessiminating, among the poor, knowledge and virtue.

Our form of government makes education a necessity.

Patriotism joins charity, in pleading another reason, for educating the poor, derived from the principles of our Government.

Happy government! where governor and governed are interchangeable terms:—when he who sits on the highest spoke of Government which, by the salutary principles of rotation in office, is made alike obedient to the laws of its own revolution:— where all are equally invited and equally entitled to interchange the duties of citizen and officer. But in vain will our Fathers have hungered and toiled; in vain will they have fought on the ensanguined field for these inestimable principles; if ignorance prevents their sons from enjoying the fruits of their victory:—In vain may the legislator lucubrate over the midnight lamp in digesting equal laws:—In vain may the erudite Judge preside on the bench, if ignorant Juries decide the fact, and apply the law. What our renown armies may have acquired for a Nation;—What ever wealth industry may have accumulated; all these weigh light in the scale of comparison, with the helping of a wise Legislature; a learned bench, and an enlightened Jury. View the Grand Juries of our country, the Paladium of our liberty; the great inquest of the Nation; the grand arbiter of Honour, fame and reputation, and say, what cost will be too great to enlighten the yeomanry of our country from whence they are taken? These considerations apply alone to us as individuals; what shall we say when we compute the National loss? What germs of genius have not the chilling blast of poverty smothered from their country's service? How oft has Nature, always mindfull of equality in her works, compensated by fertility of genius, the scantiness of Fortune? Where are the Bacons and the Newtons of the old World? Where the Franklins and Thompsons of the New? They rise in

evidence. Let us not be tantalized by the deceptive appearance of progressive education in our state. While each county vies with its fellow in erecting Academies in its bosom, the great mass of people are destitute of schools. It is a melancholy fact that our schools are lessening in their number and usefulness. The time has been when there was scarcely an old field whose bosom was not enlivened by a country school, whose gayfull numbers at their halcion meridian, enlivened the sterility of the field, or gladdened the solitude of the woods with their schoolboy's note. What avails it us to point to our University the pride of the state? or boast of our more numerous ornaments, our Academies? While the great mass of our fellow-citizens are destitute of Education and the means of Education. And while too, this partial system of Education is spreading its influence in a balefull manner in our country, by destroying that happy equilibrium of our constitutions, equality, which it was the pride and glory of our fathers to establish and which should be our rich inheritance to maintain.—It requires but little experience and less foresight into human nature to foretell what will be the condition of our country when wealth and learning are the inheritance of the few, and ignorance and poverty the lot of the many. Compare the happy days of Rome when liberty gladdened the hearts of her citizens, and equality pervaded their condition, with those tumultuous and contentious days, when her citizens were divided into a few learned Patricians and many ignorant Plebeians. These remarks are not made to discourage the Academic system, but to call your attention to the effects which that system is producing—and from thence to draw a strong argument, for the general diffusion of Education among the poor, in order to counteract the increasing inequality of condition. For it may be affirmed that every Academy established puts down 3 or 4 country schools, by monopolizing those chil-

The number of
schools decreasing

The masses des-
titute of education.

Liberty will vanish
when wealth and
education are
possessions only of
a few.

dren, whose parents are able and determined to support a school, it leaves the balance of the neighborhood too poor to support such teachers (at the present prices), as are worthy to teach.

Scarcity of native teachers.

Did this assertion, that our schools are lessening in number and usefulness require support, we have only to look around and compare what portion of those who teach in our state, are native Carolinians?—scarcely one in ten. Why this aversion to so honorable and lucrative a profession? Is it because too few are educated among us? Or is it because our educations are too superficial to be retailed to others? Or is it the remnant of that Feudal Aristocracy inherited from our transatlantic Ancestors? who considered the peasantry as exchangeable stock, and whose policy it was to discourage the profession of country schools, to keep them ignorant and consequently poor, that they might be the more docile under their tyranny. How different were the sentiments in our antient sisters, Greece and Rome, where teaching was the most honourable of professions, whose children were committed to their teachers, not only in the hours of learning, but in the hours of vacation, that they might learn by precept and example. The cause of this partial distribution of learning is too evident to require investigation; it arises from the disparity of the number of those to be taught and the number willing to teach; thereby creating a competition between the parents, which raised the price too high to be purchased by the many. Change but this competition to the teachers by multiplying their number, and the price will be again reduced to a scale acceptable to all, to the child of poverty as to the child of wealth. Then shall our fields and woods again resound with the jocund sound of the school-boy's note. For the American poor, as yet, require no stimulus to educate their children.—Furnish them with teachers and their parental tenderness will prompt them to their use. Ignorance has not yet,

Too few teachers and price of tuition too high as a result.

Increase of the number of teachers the remedy.

with all her train of vices, eradicated the finer feelings of their bosom, which, while it prompts them to obey the first law of nature, suffers them not to forget its dictates. It is not yet in America, as in some European countries. Where ignorance, poverty and vice, have destroyed the tenderness of parent, and where the offspring excites no other care or duty from the Parent, than sending it to its grave through the Nurse of a Foundling Hospital. It is common to the human bosom to Over-rate its chance of happiness; But the American Legislator should not be mislead by this sentiment. Nor should we think the same effects will not follow the same cause. Nor believe what has befallen other countries will not befall his, under similar circumstances. Is it not time then for the American Legislator to arrest the progress of ignorance?

Humanity pleads a still stronger reason for educating the poor, derived from the policy of our government. The Continent of America is laid on a scale unparalleled by either of the old continents. Whether we regard the vastness of her territory or the grandeur of her scenery, or the richness of her productions. Her National origin differs as wide from the origins of the Nations of the old World, as her geographical features—The nations of the old world had their origin in the darkness of time and Nadir of Intellect, their progress to manhood was slow and tardy; time was required to change the simplicity of the shepherd state or the rugged frugality of the camp into the boundless splendor of luxury. While America arising in the Zenith of Intellect, and transplanted from the lap of wealth and cradle of luxury, into a land yielding almost without labour, every object which can gratify desire; luxury, scarcely sustained a check at her birth. It is a fact which the slightest gleanings in History will prove that in proportion as a Nation advances in extravagance and luxury the poor increase with accumulating misery—These facts should prompt us to adopt the policy

Education the best means to eliminate poverty and increase virtue.

of our Government to the condition of our country. But we have without analogy of circumstances adopted the European Parochial policy. What Millions have Europe spent in mitigating the misery from poverty? And how far short has it fallen from accomplishing its object? Let the riots and tumults; the cries for bread, the haggard look and the chilled nakedness answer!! Happy America! still happier Carolina! you have not yet reached this achme of misery! May the period of its arrival be far, very far distant!!! But the history of other Nations, once abounding in rich redundant land like ours, and the rapid progress of population, which in our country as yet knows no check admonish us that the time is approaching; nay if we look at our Parochial list we shall find it approaching alarmingly fast. A few years ago there was not a beggar in America, but a short time past our paupers were so few as not to claim more than voluntary neighborhood charity,—Now they have increased so rapidly as to claim the attention of our courts, and parish levies are annually collected for their support. And it is equally a melancholy fact that larger sums of money are now expended in raising orphan and pauper children in ignorance and want, and too often in vice, than would be required, under a more judicious policy, to raise and introduce them to competency and virtue.

These facts should stimulate us to improve upon the European policy—Let us prevent poverty, rather than exhaust our genius and resources in relieving its distress. The Golden maxim “a grain of prevention is better than a pound of cure,” is as applicable to parochial policy, as to clinical practice. Let us give them education. Let us therefore light their taper and oil their lamp—Education is to labor what oil is to the lamp—It will light them into the avenues which lead to honor, wealth and happiness!! Look the world over—who are more industrious than the poor? Yet lamentable to be told! who fills your paro-

The ignorant and
the poor fill the
jails.

chial houses and parishes with poverty and industry? The poor. Who fills your Jails and Penitentiaries with convicts? The ignorant poor. Whence can this arise? Surely from the want of knowledge and foresight in directing their labor. Vain will be their labor and fruitless their toil, tho' exerted with the strength of an Anteus or a Herculees, if not directed by judgment and foresight, the offspring of enlightened minds. And shall we not enlighten their minds? Shall we not give them Education? Not that Aristotilian Education, which prepares the mind for disquisition and controversy, instead of thought and action, which stores the mind with antient song and fabled story, instead of things of men.—

The greatest Logician of the past century has said "the great study of Man is Man":—Let us initiate them into this study:—Let us teach them the great moral lesson, which while it points out the true relationship they bear to the objects around them teaches them, also, the great duties they owe to the Creator, to themselves, and their neighbors, (which teaches them the love of virtue and the detestation of vice:—which inculcates the practice of all the cardinal virtues of Prudence, Temperance, fortitude and justice.—*Then* we may disgrace our land with Work-Houses and Penitentiaries, with jails and gibbets; but there will be no convicts—their walls may prove what the state of society once was; the want of tenants, what it now is. There we may say with the Poet:—

"Ingenuas didiisse fideliter artes
Emollet mores nec sinit esse feros."

This is not hyperbole:—Various proofs of the solidity of these positions, that Education will lessen crimes and prevent poverty, will arise from considerations drawn from our social and moral nature:—That Man is a social animal, impelled to society, his history proves from its earliest day. Miserable wants be his situation, and abor-

*Inculcate the
social duties.*

*Governments must
take care to edu-
cate the young if
they would per-
petuate them-
selves.*

tive the best gift of Nature, if, while irresistably led to form society, there was planted in his bosom principles which led to its destruction. If human society has been checkered by practices which threatened its existence, it has been because those governments which have been formed for its promotion, have not availed themselves of the due culture of those principles which led to their establishment, but have every where preferred governing the human mind by fear and terror rather than leading it by social and moral principles.—Accordingly we find in all governments penalties and stripes; Jails and gibbets are the engines of the Law, directed against the adult, while the young are permitted unrestricted and unchecked to progress in those very practices which lead to those engines. And if at any time we have seen governments encouraging the diffusion of learning, it has been that learning which act on the side of avarice, and not on the side of sociability—that learning which taught to calculate pence, and not weigh consequences—which improved the head and neglected the heart.

The constitution
of North Carolina
cited.

Is it not time to discard the habitude of imitation to such governments? Is it not time to carry our constitution into effect? Does not the forty-first article of our constitution which is a monument of the wisdom and philanthropy of our fathers imperiously command that teachers shall be procured and paid by the publick to enable them to teach at moderate prices? How much more becoming a free Republican government like ours to reform practice by the mild influence of a moral education, than by humbling the mind into submission by servile fear?

Education the
basis of virtue.

How much more becoming such a government to prevent crimes, by presenting them in an odious light in an early education, than to rely alone on severe punishment? Is not Education the basis of Virtue? Is not Virtue the basis of morals? And are not morals a surer basis to sub-

mission to the laws than abject fear? Can anything but education elevate the mind to the dignity of virtue? Virtue may be inspired, it can never be commanded:—

All crimes proceed either from ignorance or temptation.—Charity for our species prompts us to believe that the greater portion of these crimes which checker society, spring from the first source.—The substituting knowledge for ignorance, by removing the cause will remove the effect.—And those crimes which spring from temptation will be annihilated, or very much lessened; for it is the province of a moral education to curb the efflux of inordinate passions and desire, at once the fountain and food of temptation.

Did this reasoning stand in need of facts to support it, they abound in the history of man—Take the renowned Socrates among the Greeks, who was addicted, according to his Biographer, to every low and profligate vice:—Yet who ever more completely overcome his passions, by the principles of morality than Socrates? Whose name shines through the mouldering pages of antiquity with brighter panegyric than his?

But why confine ourselves to individual examples? Whole, nations bear testimony, what education will do in preventing poverty and correcting vice. The benevolent Howard, who travelled over Europe to assuage the pain from vice, and mitigate the misery from poverty, affirms that he found fewer jails in Scotland and Switzerland, than in any other country in Europe. And that he everywhere found the peasantry poor, vicious, and miserable in proportion as they were ignorant.—All geographers and travellers tell us that the peasantry in Scotland and Switzerland are better educated than in any other country in Europe. Hence the disparity between poverty and vice, in these countries, compared with the rest of Europe. Let us compare the state of poverty and vice between Scotland and England. In Scotland, whose bleak Cala-

Ignorance the
cause of much
crime.

Example of
Socrates.

Example of Scot-
land and Switzer-
land.

donian Hills, without improvement from education, would scarcely afford habitation to man or hybernation to beast—yet here it is calculated that not more than one in forty derive assistance from charity.—Whilst in the rich irrigated vales of England, the mother of agriculture, the father of manufactories, and the mistress of commerce, it is calculated that one in seven are relieved by charity.

Crime less in Scotland than England.

The disparity between the crimes of the two countries, is still more apparent:—In Scotland it is calculated, that not more than one in Sixty Thousand is criminal—while in England it is computed that one in sixteen are criminals. These facts speak louder than volumes in praise of popular education.

North Carolina can exempt herself from vice and poverty by education.

North Carolina has advantages which should prompt her to emulate this happy state of exemption from vice and poverty, by disseminating education among the poor. She has no large towns from which emanate like the radii of a circle, Luxury, poverty and vice. Genius and fortune are more equally divided among her citizens—this real or apparent equanimity of circumstances is peculiarly favorable to the practice of those virtues, which honor the head and adorn the heart; and I cannot pass this part of the subject, without congratulating my fellow citizens on their general practice of these virtues; and adding my limited testimony, that fewer crimes are committed in Carolina, than in an equal population, on either side of the Atlantic.

Plan of education.

Influenced by these reasons which are suggested by charity, and plead by patriotism and humanity, I beg the liberty of recommending to the Legislature the adoption forthwith, of a system of public education, which promises universality in extent, facility in execution and economy in practice, contained in the subjoined resolutions.

Three classes 186 young men to be educated to teach.

1st. That three classes of one hundred and eighty six young men, between the age of fifteen and twenty years be annually and successively taught and prepared to teach

reading, writing, Arithmetic, English Grammar, Elements of Geometry, and Moral philosophy at the public expense, they first giving bond to the Governor of the State for the time being, in the probable amount of the cost of their education, conditioned to teach in some county in this State, three years, at the moderate price of \$8 per scholar, with liberty to enter into any other pursuit, after receiving their education, by cancelling their bond or so much as remains due, in proportion to the time they wish to avoid teaching. The first class to commence in 1818, or as soon thereafter as convenient. The second class 12 months after the first, and the third class 12 months thereafter.

2d. That the overseer of the Poor, in each and every county, be instructed to enter each and every parishioner and pauper, between the age of 10 and 15 years, whose parents or next of kin are unable to pay the moderate price of tuition, to such schools as may be thus established in their neighborhood; and that they be directed to pay such charges, as parish charges have heretofore been paid.

Overseers of the poor to select poor boys to be educated.

3d. That the first Court of Pleas and Quarter Sessions held in 1818, in each county appoint not less than 5 or more than 12 prudent, intelligent men, in the respective counties who shall constitute a Board of Literature, to continue in office 3 years, and who shall have power to fill vacancies, occasioned by resignation, death or removal, and whose duty it shall be to invite and recommend intelligent young men, of their respective counties to enter into the above class, to take their bonds as above conditioned. and transmit them to the clerk's office, in their respective counties: And further it shall be their duty to superintend and to aid the general operation of this plan.

Board of literature in each county to recommend young men.

4th. It shall be the duty of this Board of Literature appointed as above, at their first meeting to elect one of their members, who shall constitute with others similarly elected in each county, in the district, a Board of Trus-

District trustees of public instruction composed of county boards to conduct schools to educate teachers.

tees of Public Instruction, for their respective districts; who shall receive a commission from the Gov^r of this State for the time being, investing them with similar power and rights as have already been granted by law to Trustees of Literary Institutions, investing them with the additional power to select the scites within their district where the said Literary establishments shall be located; to contract for a house suited to the above purposes; to employ teachers; to superintend the Stewarts department; and all other powers necessary to carry the above object into operation. It shall further be the duty of said Board of Trustees to report to the Governor of the State the condition and progress of said schools under their charge annually; to grant diplomas, or certificates of proficiency in a neat elegant style, on parchment or vellum paper, to such scholars as are prepared to teach. And it shall further be the duty of the said Board of Trustees, semi-annually to lay before the Gov. for the time being, a statement of the amount necessary for the institution over which they shall preside, and it shall be the duty of the Governor to issue his warrant to the Treasurer for the amount that shall appear to be requisite.

Each judicial district to have one school, cost to be paid out of public treasury.

5th. That a school for the reception of this class be established in each Judicial District of this State, apportioning to each school a proportionate number of Scholars, according to the population of each District, and the Stewart's department be furnished and supplied out of the Public Treasury. Supposing it will require 3 years to prepare each class to teach, and by thus establishing the schools for their tuition, the cost of the State is not expected to exceed \$50 the first year per scholar; \$40 the second; \$30 the third and succeeding years. Upon this supposition, the subjoined table will show the amount of cost, and the extent of operation of this plan

Date.	Classes.	Number of Scholars.	Rate Per Scholar.	Annual Cost.	Number of Teachers.	Time of Teaching.	No. Scholars Per Teacher.	Number Annually Taught.	Grand Total.
1818	1	186	50	\$9,300					
1819	2	372	40	14,880					
1820	3	558	30	16,740	186	3	25	4,650	13,950
1821	3	372	30	11,160	372	2	25	9,300	18,600
1822	3	186	30	5,580	558	1	25	13,950	13,950
1823	3	186	30	Ditto					
				57,660	per Scholar	\$1.24			46,500

This table does not credit for 1,558 teachers which ought to be added to the number of 46,500 youths taught, which would reduce the price to \$1.22 each for three years' tuition, or 40 cents annually to the State.

Your Commissioner begs leave to make a few remarks on the foregoing Table and Plan of Education. 1st. On the economy of the plan. (a) When it is recollected that such is the benign influence of the Christian religion, which so happily pervades our country; that it cannot be doubted that there is a religious denomination in our Country, possessing commodious meeting houses in each district who would refuse tendering them, to the board of Trustees of Publick Instruction, to be converted into Academies at the moderate price of building chimnies. Remarks on economy of the plan.

And when it is also recollected the facility and cheapness with which commodious log houses can be built in their vicinity for the accommodation of their classes, it cannot be supposed that the expense of educating these classes will exceed the amount expressed in the Table. From which amount, it is evident that for \$57,660, expended in five years, the state will have taught 558 teachers in whose services the State will have an interest for three years, and 46,500 scholars, which to the state will not exceed \$1.22 each for three years tuition. Education is never communicated except through teachers; the State therefore, if she promotes education, must either

raise her teachers or hire them, where they can be found; if the latter, it will be a moderate calculation, to estimate the salaries she will be obliged to give, to obtain such talents and learning, as she ought to encourage in teaching at \$500 each—if she hires 558 teachers, then, even for one year, it will cost her \$279,000.

Remarks on facility in operation.

2d. Its facility in operation.—The beneficial operation of this plan will be felt in the fourth year, when the first class leaves school; and commences teaching, by beginning that competition which will be completed in the fifth and sixth year, when all the classes will be in operation, which will keep it securely up after the first impediment is removed. For it is the fond hope and expectation of your Commissioner, that by educating such a vast number of youths whose talents might have wasted their blossoms in the desert air, abilities will be unfolded which will qualify and prompt their possessors for future teachers, and consequently all future expense to the State will be saved.

“Diffusible operation” of the plan.

3d. Its diffusible operation.—In turning out these young teachers, stimulated by the never slumbering passion, self-interest, under the unerring guide of moral obligation they will penetrate into the remotest corner of every county, in searching for schools. They will be invited, and their schools will be profitable in proportion to their talents, skill and assiduity.—This is a strong guarantee to the plan.

Other remarks on the plan.

It is impossible to do justice to the principle or its detail in these few lines—But your honorable body will readily perceive that should the expense be incurred, and the State disappointed in receiving the services of their teachers, it is manifest that the money will have been loaned to indigent young men for the acquirement of an education, they could not possibly acquire without its aid. For when it is considered that the disabilities which constitute the difference between minor and adult age, in civil

law are imposed for the benefit of the minor, the purchasing, under the condition herein proposed, an education which will introduce him into a profession, honorable and lucrative, and not like other professions and trades overstocked—they will not hesitate to remove the disability of the minor, to give his bond for this particular object—and if the Legislature deem it necessary the bond may be taken with security, to bear interest—But should the plan go into operation, its advantages should be incalculable. Shall we estimate its value by comparing it with other systems of popular education? While all which have heretofore been proposed has been limited to the poorer classes of citizens this will benefit all; the rich as well as the poor, by turning out such a number of decent young men who are master teachers, in the most useful branches of learning, to find schools wherever they are wanted:—Or shall we calculate its value by saving of money to the State? The average price of Tuition is now \$15 or \$20 per Scholar: this scheme will reduce it to \$8 to the parent. and 40 cts. to the State, thereby saving \$11.60 cts. on every scholar. The scheme proposes to educate 46,500 children, \$11.60 cts. saved on each scholar, will be a clear saving to the state of \$539,400.—Or shall we look around on the rising generation to estimate its value? What perfect forms—what sparkling eyes—what sprightly minds do we see destined by the hard grasp of poverty, to linger in the dust, unless elevated by education. Or shall we look around on the aged to behold the sad effects of the want of education? See the growing list of parishioners hanging on the cold hand of frigid charity! How different their situation would have been, had half the sums which are now given them in alms, been bestowed on them in an early charitable education? See the multiplication of vices and crimes keeping pace with the declension of learning in our State! View the criminal hurried heedlessly and uncalled for before his God! by those laws

Calculation showing how much the plan will save the state.

which punish, but do not prevent crimes. What would his destiny have been, had his mind, in early youth, been enlightened by the moral precepts of a moral Education?

All of which is respectfully submitted by

JOHN M. WALKER,

one of the Commissioners on the Plan of Public Education.

December 6th, 1817.

—*Unpublished Legislative Documents, 1817.*

Senate resolution
to print Walker's
report.

Tuesday, December 9, 1817. Received from the House of Commons a report made by John M. Walker, one of the commissioners on the plan of publick education, accompanied by the following message from the House of Commons:

Mr. Speaker—The report on the plan of publick education prepared by John M. Walker, in obedience to a resolution of the last General Assembly herewith sent, we propose shall be printed for information, one copy for each member of the General Assembly.

The forgoing being read, *Ordered* that the following message in answer thereto be sent to the House of Commons.

Mr. Speaker—We agree that the report or plan of education proposed by John M. Walker, shall be printed for information, one copy for each member of the General Assembly as proposed by you.

—*Senate Journal, 1817-18, p. 67.*

5. MURPHEY'S BILL TO DIFFUSE KNOWLEDGE.

Tuesday, December 16, 1817. Mr. Murphey handed in the following report:

The committee on public instruction, report a bill to provide for the general diffusion of knowledge, by establishing schools in all parts of the state and recommend the same to be passed into a law. Senate committee on education instructed to bring in a bill to establish schools.

Respectfully submitted,

A. D. MURPHEY, Ch'm.

The house taking the foregoing report into consideration, *Resolved*, that they do concur therewith. Whereupon Mr. Murphey introduced a bill to provide for the general diffusion of knowledge by establishing schools in all parts of the state; which being read was passed for the first reading in this house and sent to the House of Commons. Bill introduced.

—*Senate Journal*, 1817-18, pp. 88-89.

Wednesday, Dec. 17, 1817. Received from the Senate the report of the committee on public instruction recommending the passage of a bill formerly a part of the report, entitled a bill to provide for the general diffusion of knowledge by establishing schools in all parts of the State. The report was concurred with, and the bill recommended read the first time passed and returned to the Senate with the report.¹ House passes the Senate bill on first reading.

—*House Journal*, 1817-18, p. 69.

¹ There is no further record of this bill in the journals of either house. I have not been able to find a copy of the bill. C. L. C.

6. FEMALE BENEVOLENT SOCIETY OF WILMINGTON.

WILMINGTON NOV. 7th. 1817

To the Honbl: the Senate and house of Representatives of
the State of N. Carolina

Society formed to
promote education
of orphans and
other poor children

Whereas a Society has been established in this place,
by the name of the "Female Benevolent Society of Wil-
mington N. Carolina" whose object is "to secure to poor
children and destitute orphans, a moral and religious, as
well as a common education; and besides furnishing with
such education, to adopt, support, and provide with situa-
tions that are useful, and not unfavorable to virtue, such
children, as, in the opinion of the Society, stand most in
need of their patronage."

Ask to be allowed
to hold property
and adopt children.

And whereas they can neither adopt children, nor hold
funds or property, in a corporate capacity, untill they are
recognized as such, by law: they beg leave to solicit Your
Honorable Body for an act of incorporation. And your
Petitioners, as bound, will ever pray

ELIZA LORD 1st Directress

MARY L. ORME Secy.

—*From Unpublished Legislative Documents, 1817:*

7. LOTTERY FOR SMITHVILLE ACADEMY REFUSED.

Whereas it is represented to this General Assembly that certain liberal and well disposed persons have subscribed sums of money for the purpose of erecting a school house or academy at the Town of Smithville, and that the subscriptions would be increased if it appeared probable that an adequate fund for erecting a proper building and supporting the same could be raised: Therefore, to encourage an undertaking so laudable, which may be highly beneficial to the inhabitants of the county of Brunswick, and produce advantages more extensive hereafter,

I. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Trustees of the said Academy, established by the General Assembly and under the authority of the same, shall have power, and they are hereby permitted to raise the sum of eight thousand dollars by a lottery or lotteries as they or a majority of them residing in the counties of Brunswick, New Hanover, and Bladen, shall deem most proper, and that the said Trustees or a majority from the counties aforesaid, being present shall appoint seven commissioners for the purpose of opening and completing a scheme or schemes of lottery or lotteries, calculated to raise the sums aforesaid, in which there shall not be more than two Blanks to a prize, and the said Commissioners shall be managers of said Lottery and accountable for the prizes and profits thereof, any three of said commissioners being competent to transact business.

Ask to raise \$8,000
by lottery.

II. And be it further enacted,—That when three-fourths of the said tickets are sold the drawing of said lottery shall commence under the management of said commissioners, any three of them being present, they giving thirty days notice in the Wilmington paper and one of the papers in the City of Raleigh.

When drawing to
begin.

Payment of prizes.

III. Be it further enacted, That all prizes shall be paid in sixty days after the drawing is finished, upon demand of the possessor of a fortunate ticket; which prize shall be subject to a deduction of fifteen per cent. and if such prize is not demanded within six months after the drawing is finished, of which public notice shall be given in the Wilmington paper or one of the papers in the City of Raleigh, the same shall be considered as relinquished for the benefit of said Academy; and the nett profits of said lottery or lotteries shall be vested in the Trustees of said Academy, for the use of said Academy, that the said Commissioners shall fix the days of drawing said lottery or lotteries except the first day of drawing, which shall commence as herein stipulated.

Bond of lottery commissioners.

IV. Be it further enacted, That before the commissioners appointed as aforesaid shall begin to act in pursuance of this law, they shall enter into bond with security to be judged sufficient by the County Court of Brunswick County, for the sum of eight thousand pounds, payable to the chairman of the said Court and his successors, which bond shall be void on condition that they, the Commissioners appointed as aforesaid, shall well and truly perform the Trust reposed in them, that is to say, that they will without fraud, delay or other deductions than the fifteen per cent. therein prescribed, pay to every fortunate adventurer in said lottery or lotteries, the prizes he or she shall draw therein, in the time before mentioned and further, that the said Commissioners shall fully and faithfully account for all the profits which shall arise from the Lottery or Lotteries aforesaid, deducting therefrom, the necessary expenses in six months after the drawing of the same to the said Court on the continuing the same, and that the said commissioners shall deposit the nett amount arising from said lottery or lotteries in the Wilmington Branch of the State Bank of North Carolina subject only to be drawn for the use of said academy, and by an order

passed by the trustees of said Academy, a certified copy of said order shall be sufficient to authorize the Treasurer of said Academy to check on said Bank for the amount therein stated; that a certificate from the cashier of said Bank stating the amount deposited by the Commissioners for the use of the Academy shall be satisfactory evidence to the Court for the amount deposited by them.

V. Be it further enacted, That if the commissioners appointed as aforesaid, fail to perform any part of the condition of said Bond, any person aggrieved by such failure may without assignment bring suit on said bond in the name of the chairman of said Court, in any Court of record within this State having cognizance thereof, and all such sums recovered thereon shall be to the use of the person or persons who shall so bring suit, and the said Bond shall be lodged with the Clerk of the County Court of Brunswick County, who shall keep the same as part of the records of the Court aforesaid.

Suit may be instituted to compel commissioners to do their duty.

In House of Commons Dec. 18, 1817: Read the first time and passed.

In Senate Dec. 18, 1817: Read and rejected.

Rejected.

—*Unpublished Documents, 1817.*

1818

- 1. GOV. BRANCH'S MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. MARTIN'S BILL TO ESTABLISH SCHOOLS.**
- 4. SLAVES MAY BE TAUGHT TO READ AND WRITE.**

1. GOV. JOHN BRANCH'S MESSAGE ON EDUCATION.

When we reflect on the lethargy which has pervaded our state and enchained her energies until a few months past, and the manner in which our physical resources have been suffered to lie dormant for the want of a moderate portion of energy in the Legislature to elicit and call them into action, and at the same time take into consideration the extraordinary excitement of public feeling at the present time, I am persuaded that with me you will be fully sensible of the more than ordinary responsibility under which you are placed.

Public sentiment favorable to action looking to arrest of emigration.

The impulse from public sentiment is too strong to be mistaken, and requires only a proper direction and organization of the representatives of the people, to arrest the progress of emigration, and to render our state in an eminent degree prosperous, and our citizens contented and happy.

In a government like ours where the sovereignty resides in the people, and where all power emanates from, and at stated periods, returns to them for the purpose of being again delegated, it is of the last importance to the well being and to the existence of Government, that the public mind should be enlightened.

The people should be enlightened, and the constitutional provision relating to education carried out.

* * * * *

Permit me, therefore, to refer you in a particular manner to this solemn injunction contained in the Constitution of the State of North Carolina, Art. XLI. "That a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the masters, to be paid by the public, as may enable them to instruct at low prices, and all useful learning shall be duly encouraged in one or more Universities."

Let it be recollected that by this chart we are bound as the servants of the people under the solemnities of an oath, to steer the vessel of state; and when we connect

Education is a subject of highest importance to a republican government.

this imperious duty with the luminous and impressive appeals which have been so often made to the Legislature for the last year or two, I apprehend that nothing that I could add would impart additional force. It surely will not be denied that it is a subject of all others in a republican government, of the most vital importance: for it is in this way and this alone, that our Republican institutions can be perpetuated, or that radical changes can be effected in the morals and manners of the people.

—*House Journal, 1818.*

2. ASSEMBLY COMMITTEES ON EDUCATION.

Senate Committee on Education: William Martin, Pasquotank; Richard T. Brownrigg, Chowan; Hodge Rayburne, Haywood. Senate committee on education.

—*Senate Journal*, 1818, p. 10.

House Committee on Education: R. M. Sanders, Caswell; David F. Caldwell, Iredell; Willie P. Mangum, Orange. House committee on education.

—*House Journal*, 1818, p. 16.

2. MARTIN'S BILL TO ESTABLISH SCHOOLS.

Martin's bill passes first reading in the Senate and is ordered printed.

Saturday, Dec. 12, 1818. Mr. Martin, from the committee on public instruction reported a bill to establish and regulate schools in the several counties of this state; which being read was passed for the first reading in the Senate and sent to the House of Commons. *Resolved* by the Senate that this bill be printed, one copy for each member of this General Assembly. Sent for concurrence.

—*Senate Journal, 1818, p. 64.*

Martin's bill passes the House.

Monday, Dec. 14, 1818. Received from the Senate the report of the committee on public instruction, concurred with, recommending the passage of a bill to establish and regulate schools in the several counties in this State.

The report was concurred in and the bill recommended read the first time, passed and returned to the Senate.

—*House Journal, 1818, pp. 69-70.*

Martin's bill passes second reading in Senate, by vote of 53 to 2, the ayes and noes being recorded.

Friday, Dec. 18, 1818. The Senate now entered on the order of the day, when the bill to establish and regulate schools in the several counties in this state, being read and amended, and the question was "shall this bill pass for the second reading in the Senate?" upon which question the yeas and nays were called for, and are thus:

For the passage of the bill are Messrs. Atkinson, Albritton, Brownrigg, Bethune, Benton, Baker, Bruton, Boon, Hall, Hill, Daniel Jones, N. Jones, Kelly of Moore, Kelly of Camden, Kenan, Leonard, Marshall, Brown, Bethell, Banner, Calloway, Caldwell, Collins, Campbell, Dudley, Davis, Davidson of Montgomery, Davidson of Mecklenburg, Dobson, Eborne, Felton, Fisher, Grist, Glisson, Green, Gaston, Murphey, Martin, McLeod, McKinnie, O'Kelly, Phifer, Pierce, Rayborn, Reid, Riddick, Speight, Steed, Tate, Tarkenton, Williams, Wellborne—53.

Against the passage of the bill are Messrs. Alston, Johnston, 2.

So the bill was passed for the second reading and sent to the House of Commons.

—*Senate Journal, 1818, p. 82.*

Tuesday, Dec. 22, 1818. Received from the Senate the bill to establish and regulate schools in the several counties in his state; which was read the second time, and postponed indefinitely.

Martin's bill meets defeat in the House.

—*House Journal, 1818, p. 98.*

A BILL TO ESTABLISH AND REGULATE SCHOOLS IN THE SEVERAL COUNTIES OF THIS STATE.

I. That the Justices of the Several Courts of Pleas and Quarter Sessions in this State if they shall deem it expedient may at the first court which shall be holden in their respective counties, after the first day of April next or at any subsequent court, Seven Justices being on the Bench, order and direct the establishment of one or more publick Schools in each Captain's District in their said counties and appoint five persons of competent skill and ability to act as Directors of the said Schools; which Directors shall have charge and management of the School fund of their espective counties, and shall continue in the appointment for the space of one year; when the said courts shall respectively renew their appointment or appoint others in their stead. And in case the said courts shall neglect to make such appointment at the end of the year the said Directors shall continue in their office, until another shall be made. A Majority of the Directors shall be competent to act, and they shall keep a regular account of their proceedings, and annually submit the same, with an account of the state of the school fund, and the schools under their charge, to their respective county courts. The

One or more public schools may be established in each militia district, by county commissioners.

Court to appoint five directors of the school or schools in each district.

Directors to keep record of proceedings and render an account of funds to county court.

Directors shall meet together every three months or oftener if necessary; they shall elect one of their body to act as President thereof, who shall have power to cause a meeting, whenever he may think proper.

Directors given power to declare what school houses shall be public school houses.

II. Be it further enacted that whenever a school house shall be erected or leased for the term of two years in any Captain's District, the person erecting or leasing the same may make it known to the Directors of Schools in said county and the said Directors may acknowledge the same as a public School House; and thereupon they shall appoint three discreet persons to act as Trustees of said school: which Trustees or a Majority of them shall be authorised to imploy a Teacher for the said school, prescribe rules and regulations for the Government of said School, the rates of Tuition, ask and receive the tuition money, a regular account of which they shall keep and submit at the end of each year to the Directors aforesaid.

Three trustees to be appointed for each public school, with power to employ a teacher and fix rates of tuition.

They shall designate such poor children in their neighbourhood, as they shall think ought to be taught free of any charge and submit to the said Directors at the end of each year a list of their names and ages as near as may be.

Trustees to designate poor children to be taught free.

III. Be it further enacted that the Salary of one Hundred Dollars may be paid out of the School Fund to the Teachers of each of the said schools, by the Directors aforesaid, and two thirds of the Tuition money shall also be paid the said Teachers. The other third shall be paid by the Trustees of the School to the said Directors; and the Teacher shall be bound to teach free of any charge such poor children as the Trustees shall designate.

Salary of \$100 a year may be paid each teacher out of public fund.

IV. Be it further enacted that for purpose of creating a school Fund in each county the Justices of the Court of Pleas and Quarter Sessions of said county may and they are hereby authorized to levy annually and cause to be collected as other Taxes a Tax not exceeding fifty cents on each poll, and ten cents on each hundred Dollars value of real estate; which money shall be paid by the sheriff

Tax of as much as 10 cents on each \$100 valuation and 50 cents on each poll may be levied to create a school fund.

to the county Trustee; and one third of the tuition money aforesaid shall also be paid over by the Directors of the public Schools in said counties to the said Trustee; and the said monies shall be drawn in favour of Teachers of Schools in said county upon the order of the President of the said Directors.

V. Be it further enacted that the Trustees of each school shall purchase Books and stationary for the use of poor children, who are to be taught free of charge, and be allowed the same in settlement of their accounts.

Books and stationary to be furnished poor children free by the trustees.

The committee on Public Instruction report the accompanying Bill, entitled a Bill to establish and regulate Schools in the several counties in this State, and recommend the same to be passed into a law.

Report of committee on the bill.

Respectfully submitted,

13th Dec. 1818.

W. MARTIN, Chm.

—*From Unpublished Legislative Documents, 1818.*

4. SLAVES MAY BE TAUGHT TO READ AND WRITE.

A Bill to prevent all persons from teaching slaves to read and write, the use of figures excepted.

Be it enacted by the General Assembly of North Carolina and it is hereby enacted by the authority of the same, That any person who shall hereafter teach or attempt to teach any slave within this State to read or write, the use of figures excepted shall be liable to indictment in any court of record in this State and upon conviction shall be fined at the discretion of the Court not less than (\$50) fifty dollars, nor more than (\$100) one hundred dollars or imprisoned.

And be it further enacted, that the Judges of the Superior Courts and the Justices of the County Courts shall give this act in charge to the grand Juries of their respective Courts.¹

Clerk's entry: In House of Commons 11th Decr. 1818
Read the first time and rejected.

—*From Unpublished Legislative Documents, 1818.*

¹Introduced by Wm. B. Mears, of Wilmington.

1819

- 1. GOVERNOR BRANCH'S MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. SOME SYSTEM OF PUBLIC EDUCATION URGED.**
- 4. EDUCATION REPORT OF 1819.**

1. GOV. JOHN BRANCH'S MESSAGE ON EDUCATION.

Education of youth
claims pre-emi-
nence above all
other questions.

The schools are
languishing.

And in the first place as claiming a pre-eminence above all others, allow me to call your attention to the subject of education of youth, the only durable basis of everything valuable for a government of the people, and to press on your attention the moral and political obligations which you are under, created and imposed by the solemn injunctions of the Constitution, to patronize and encourage a general diffusion of knowledge: for when we advert to the languishing condition of some of our nurseries of science, and observe the apathy which prevails in regard to their advancement, it becomes a subject of no less astonishment than regret. It is the boast of a republican government that all men are born equal; but what is it that keeps them so? On a proper solution of this question depends the perpetuation of the liberties of this and every other free government—Let the few monopolize the science of the country, and they at once monopolize its sovereignty.

—*House Journal, 1819.*

2. ASSEMBLY COMMITTEES ON EDUCATION.

Senate Committee on Education: Benjamin F. Hawkins, Franklin; Emanuel Shober, Stokes; John Owen, Bladen. Senate committee on education.

—*Senate Journal 1819, p. 13.*

House Committee on Education: Richard D. Spaight, Craven; Micajah T. Hawkins, Warren; John Hill, Stokes. House committee on education.

—*House Journal, 1819, p. 15.*

2. SOME SYSTEM OF PUBLIC EDUCATION URGED.

Public sentiment favors the establishment of public schools.

Sparse population renders any plans difficult to carry out in all parts of the state.

Diversity of opinion as to the means of support of schools.

Placing education within the reach of all classes the best work of the statesman.

Education.—Some exertions have been made at former sessions of the Legislature for the establishment of a general system of education throughout the State. There is, we believe, a prevailing wish among the citizens of North Carolina, that such a measure should be adopted—some difference of opinion, however, exists as to the means best calculated to carry it into effect. Objections may be made to every plan that has been proposed; and indeed, it is somewhat difficult to devise any plan that shall be completely adapted to every purpose that may be expected to be embraced in a system of education. The leading object is the establishment of free schools, by which the children of the poor, as well as the rich, may be furnished with the means of acquiring, at least, the rudiments of useful learning. A thin population, extended over a large territory, may, in some parts of the state, render the application of the system impracticable; and it may, perhaps, be matter of doubt whether it would be better to appropriate a specific fund or a particular source of revenue for the support of free schools, or whether it would be more expedient to endow the several academies under the stipulation that schools should be established and maintained by the respective institutions. These, however, are minor considerations, and ought not to create objections to the principal question. The members of the assembly should first decide whether they are willing to form any system for the instruction of the rising generation—it may then be proper to discuss the details of its organization.

If the statesman would render himself useful to the people for whom he legislates; if he would confer an important and lasting benefit on their posterity, he should be aware that he cannot more certainly, or more effectually

ally promote his benevolent purposes than by placing the means of education within the reach of all classes of his fellow citizens. * * *

—*From Blakely (N. C.) Gazette, copied in Raleigh Register, Sept. 10, 1819.*

4. EDUCATION REPORT OF 1819.

Senate action on
Shober's report.

Monday, Dec. 20, 1819.—Mr. Shober from the committee on that part of the Governor's message respecting education, made a detailed report; which being read, was concurred with by the Senate and sent to the House of Commons.

—*Senate Journal*, 1819, p. 89.

House action on
report.

Tuesday, Dec. 21, 1819.—Received from the Senate the report of the committee on that part of the Governor's Message, respecting education praying to be discharged from the consideration of the subject. The question to concur with the report, was determined in the affirmative.

—*House Journal*, 1819, p. 88.

Diffusion of
knowledge of first
importance.

That the committee to whom was referred that part of the Governor's message which respects education, beg leave to report,

Work of private
seminaries.

That they have given the subject that serious consideration which it merits; that they are fully impressed with the truth, that the best and only durable cements of Republican institutions, consists in a wide diffusion of knowledge, and that it behooves every citizen who has the true interests and glory of his country at heart to aid and assist in this invaluable work. Your committee perceive with pleasure, that by individual exertion, much has been done in this great cause. Seminaries of learning have been formed in various parts of the State, others are still rearing, where human excellence is cultivated with success; and where many a youthful mind has attained, and many continue to receive that impulse to noble and virtuous actions, which not only renders them ornaments, but pillars to society, minds which perhaps for the want of those seminaries would have remained like marble in the

quarry, useless to the world until it has received the artist's polish.

Your committee are convinced, however, that no system of education upon a general principal, can succeed and flourish, if dependent on individual exertion alone, and that it requires the strong and fostering hand of legislative aid. They are satisfied that a parsimonious policy on the part of the State, touching the great subject of education is but illy adapted to promote the true interest of the community, because they conceive, that without education, knowledge which tends to exalt a nation cannot be attained. The great objects to which the states of the Union lend their attention, is to establish Universities; where the young men of the country having gone through Academical instruction, may finish their education. To enable these Universities to flourish, it is necessary that they should all be endowed, and while it gives a pleasurable sensation to see states vie with each other, to foster and render prosperous their respective establishments it creates a feeling far different to see other states treat their nurseries with cold neglect; and it gives your committee pain to say, although it is a melancholy fact, that the State of North Carolina stands among this latter class. True it is, the state has done something towards their establishment, but your committee beg leave to say, that in their opinion, the State has not done that which considering its wealth, and internal resources, it could do, which has caused the establishment to languish and drives the youth of the state in quest of education elsewhere. And your committee cannot refrain to mention, that but for individual aid and donations the University of North Carolina would long ere this time, have sunk into indigence and want; your committee fondly hope, however, and they beg leave most earnestly to recommend to the legislature to rescue the state from this charge, and to induce it to treat its offspring, with that paternal care which it merits.

Your committee are sensible that Primary Schools and

Liberal aid by state only means to promote general education.

University has meagre support from state.

Practicable plan
for primary schools
greatly needed.

No plan recom-
mended.

School fund sug-
gested.

Academies should not be neglected, because it is here that the first seeds to Knowledge are sown, but no practical plan presents itself to them, where the state could be of direct aid. Your committee conceive that it should be of much importance; nay, of incalculable benefit, if a practical plan could be devised of establishing free schools, for the education of poor children, in the different counties of the state; and although several plans have suggested themselves, excellent in theory, yet your committee deem it inexpedient at this time, to recommend an experiment. Your committee beg leave further to report that they deem it advisable that a fund should be created, denominated the School Fund, which fund your committee conceive might be raised either by drawing it from the lands lately acquired from the Cherokee Indians or by appropriating a part of the stock holden by the state in the bank, which funds should be placed in the hands of a certain number of trustees, to be appointed by the General Assembly, and by the trustees thus appointed, vested in some productive stock, and that the profits arising from such stock should be applied to the purpose of education, either by throwing it to one or more points, or by distributing the same in due proportion to the counties generally, as the legislature may from time to time direct. Your committee conceive that much good would result from the plan proposed, and would tend, if wisely managed, to a national blessing; more particularly as it would yield a benefit without creating a burden. Your committee, however, from the late period of the session, and from other reasons which they will not detail, refrain from introducing a digested plan by bill. And submitting these, their views, they beg leave to be discharged, etc., etc.

EM'L. SHOBER, Chairman.

In Senate, Dec. 20th, 1819.

Read and resolved that this House concur therewith.

B. YANCEY, S. S.

—*Senate Journal*, 1819-20, p. 119.

1820

1. POPULATION OF THE PRINCIPAL TOWNS.

1. POPULATION OF THE PRINCIPAL TOWNS.

New Bern.	Whites	1475
	Slaves	1920
	Free coloured	268
	Total	3663
Fayetteville.	Whites	1918
	Slaves	1337
	Free coloured	277
	Total	3532
Raleigh.	Whites	1177
	Slaves	1320
	Free coloured	177
	Total	2674
Wilmington.	Whites	1098
	Slaves	1433
	Free coloured	102
	Total	2632
Edenton.	Whites	634
	Slaves	860
	Free coloured	67
	Total	1561
Salisbury.	Whites	743
	Slaves	477
	Free coloured	14
	Total	1234

POPULATION OF PRINCIPAL TOWNS, 1820.

189

Washington.	Whites	474
	Slaves	517
	Free coloured	43
	Total	1034

—*Census 1820, in Raleigh Register, Aug. 17, 1821.*

1821

- 1. INCORPORATION FOR BAPTIST CHURCH TRUSTEES REFUSED.**

**1. INCORPORATION FOR BAPTIST CHURCH TRUSTEES
REFUSED.**

A Bill to incorporate the Trustees of the Baptist Church in the Town of Washington:

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That Jeremiah Martin, Thomas D. Mason, Jonathan Haven, Henry Clark and Jeremiah Ligget, and their successors be and they are hereby constituted and declared to be a body politic and corporate, to be called and known by the name and style of the Trustees of the Washington Baptist Church, and they are hereby vested with all the powers and authorities which are given to religious societies or congregations of every denomination and also by another act passed in the year 1809, entitled an Act to amend an act passed in the year 1796, entitled an act to secure property to religious societies or congregations of every denomination, any law to the contrary notwithstanding.

Engrossed and Examined.

In House of Commons Dec. 21, 1821: Read and indefinitely postponed.

—*Unpublished Documents, 1821-22.*

1822

- 1. GOV. HOLMES' MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. PROPOSED SUBSIDY FOR ACADEMIES.**
- 4. TEACHERS AND STUDENTS MUST PERFORM PUBLIC DUTIES.**
- 5. APPROPRIATION OF PUBLIC LANDS FOR EDUCATION.**
- 6. WORK OF RALEIGH FEMALE BENEVOLENT SOCIETY.**

1. GOV. GABRIEL HOLMES' MESSAGE ON EDUCATION.

I would mention one defect which appears to me to exist generally in the education of our young men of liberal advantages: they know little or nothing of agriculture and are not taught to hold it in proper estimation. The consequence is that they nearly all devote themselves to the learned professions, and leave the calling of husbandry, equally as respectable and more useful, to those whom they consider as their inferiors. By this defect and these consequent mistaken notions, we lose the talents and influence of many a young man, who lags and withers in one of the professions, when he might be an ornament and guide in the quiet walks of agriculture, and constitute one of that most excellent and useful class of society, *good citizens*. It is truly melancholy to witness the crowd and drones that hang upon the rear of the learned professions, burthens to themselves and burthens to society, because they are useless; and many of them—perhaps I might say a large majority—men of talents, but unhappily misapplied. I trust, if they are beyond the saving influence of the Legislature, that you have it still in your power to prevent this accumulation, and to diffuse the talents of our state into more extensive usefulness. Should the Legislature ever practically unite in the important truth, that it is of the last moment to the stability and security of our republican institutions, that all kinds of useful knowledge should be extended to our youth, the poorest as well as the richest, it is to be hoped that they will not overlook the article of agriculture; and in the present flourishing state of our University, when its wealth has received such an addition of western lands, its number of students such an increase, its buildings receiving such improvement and extension, and its able faculty and trustees are so zeealous and indefatigable in raising its reputation, and extending the sphere of its usefulness, it appears to be an auspicious

Education in agriculture much neglected.

The learned professions crowded with incompetents

Any system of education should not neglect agriculture, which subject should be introduced into the university.

period to introduce the subject of agriculture within its walls, and lend it your aid? Were you even to devote a considerable sum of money to this purpose, how manifold would be the interest which the people would receive in its advantages? Young men of liberal education would leave our University with proper ideas of the dignity and usefulness of agricultural avocations, and with much useful knowledge relating thereto. They would go into the different parts of the state, and devote themselves to agriculture, and associate into societies with men of more limited opportunities where their knowledge and influence would be widely diffused, and give a life and vigor to agriculture, of which one can easily form some conception. But I would not have you suppose that this subject is altogether neglected in our University. We have there a professorship of chemistry and mineralogy, which bear an intimate relation to agriculture, and it gives me much pleasure to state, that I have been informed that the gentleman who has charge of that department of instruction, takes a lively interest in the improvement of the agriculture of the country, and devotes a part of his course of lectures to that subject alone, and loses no opportunity of imparting to his pupils every article of knowledge which will be of service in the business of life. I am happy that I have it in my power to make known the fact, that our University is not confined to those studies which, though of the highest importance in a liberal education, have no immediate relation to the concerns of life. * * *

Chemistry and mineralogy already taught in university, subjects intimately connected with agriculture.

Every kind of useful learning ought to be encouraged.

With regard to education, although we have been considering an important part of it, you are by no means to stop here. Our constitution has made it your duty to encourage and promote every kind of useful learning. Its wise and patriotic framers, who were about to burst from the thralldom of oppression, and who were sensible of the enslaving influence of ignorance, ordained it to be their own duty and the duty of their sons, to whom they were

soon to bequeath the inestimable legacy of freedom, to diffuse learning among the people—and they, no doubt, looked forward, in pleasing contemplation, to the period when their posterity should have schools and academies erected among them; when knowledge, at least of the more ordinary and indispensable kind, should be within the reach of the child of the poorest citizen—when all useful knowledge should be duly encouraged and promoted—the people acquainted with their rights, sensible of their national blessings, and therefore determined to perpetuate their institutions; and to keep the soil which their fathers had purchased with their blood and treasure, the land of freedom and the asylum of the oppressed. I fear, gentlemen, if those venerable fathers were to rise from their tombs, they would reproach us with supineness and neglect, and would not listen to our plea of want of power. We shall never know what power we have until we exert it; and it holds in political as well as in physical strength, that it is increased by exercise. To all these subjects then, which appear to me, I am sure, in far more important light than my limits or language will allow me to express, let us give heed, and timely heed. Let us do something, however little,—it may prove in time as a grain of mustard seed.

Something ought to be done to put education within the reach of all.

—*House Journal, 1822.*

2. ASSEMBLY COMMITTEES ON EDUCATION.

House committee
on education.

House Committee on Education: Augustin H. Shepherd, Stokes; Charles Fisher, Rowan; James Graham, Rutherford; Nathaniel Gordon, Wilkes; Robert Jeter, Granville; Thomas Clancy, Hillsborough; T. N. Mann, Nash; Lawrence Cherry, Martin; Henry Elliott, Chowan; E. E. Graham, Newbern; Stephen Smith, Wayne; Richard Wooten, Columbus; George Blair, Jr., Edenton; S. Sidbery, New Hanover; Duncan McLaurin, Richmond; John Gilchrist, Robeson.

—*House Journal, 1822.*

Senate Committee on Education:

[I have not been able to find a list of the Senate members of the committee on education for 1822. The Senate Journal for 1822 and the Raleigh Register and other sources have been examined. The copy of the Senate Journal for 1822, belonging to the State Library, is mutilated. The Raleigh Register for 1822 is partly missing. C. L. C.]

3. PROPOSED SUBSIDY FOR ACADEMIES.

On motion, *Resolved*, That the committee on Education be, and they are hereby instructed to inquire into the inexpediency of appropriating the sum raised in each of the towns of this state by taxes on sales at auction, to increase the funds of such seminaries of learning as may exist in such towns severally; and that they report by bill or otherwise.

Taxes on sales at auction to be devoted to academies.

—*House Journal*, 1822, p. 156.

4. TEACHERS AND STUDENTS MUST PERFORM PUBLIC DUTIES.

Teachers and students to be exempt from duties to the public.

A Bill to exempt Teachers and Students of Private Seminaries from the performance of public duties.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the teachers and students of private Seminaries for the time being, be and they are hereby exempt from the performance of public duty: *Provided*, that nothing herein contained, shall be so construed as to exempt them from duty at general reviews nor from being called out in case of insurrection or other emergencies.

Clerk's entries: In House of Commons 7 Decr. 1822: read the first time and passed.

In House of Commons 16 Dec. 1822: read the second time and postponed indefinitely.

—*Unpublished Legislative Documents, 1822.*

5. APPROPRIATION OF PUBLIC LANDS FOR EDUCATION.

REPORT OF THE COMMITTEE

To whom was referred, the Reports and Resolutions of the Legislatures of Maryland and New-Hampshire; and the proceedings in the Senate of the United States, relative to the appropriations of Public Lands, for the purpose of Education; made to the Legislature of North-Carolina, Dec. 1821.

Preliminary remarks.

The Committee, to whom was referred that part of the Governor's Message which relates to the reports and resolutions of the Legislatures of Maryland and New-Hampshire, and the proceedings in the Senate of the United States, relative to appropriations of public land for the purpose of education, respectfully Report:

That they have given the subject all the attention and consideration which their time and opportunities would admit. Your committee are deeply impressed with the importance of education and the general diffusion of knowledge. In a government which depends on the public will, where the sovereign power is vested in the people, and where, by the frequent recurrence of elections, our citizens are periodically and frequently called upon to delegate certain portions of that sovereignty which is inherent in them, it is almost as important that they *should know* their rights, as that they *should possess* them. Without this knowledge, they too often become the dupes of intrigue and the unconscious instruments of faction.

Importance of education in a free government.

Your committee view with pride the rapid progress which North-Carolina has, of late, made in knowledge and science. Within the last twenty years academies have been established by individual subscriptions and individual exertions in almost every county in the state. At these seminaries, by the generous exertions of their founders and patrons, thousands of youth, of both sexes, are in-

Rapid increase of academies.

structed in the subordinate branches of science, and qualified for the ordinary business of life.

Many graduates of university engaged in teaching and other professions.

Our University, too, is annually sending forth graduates, who generally embark in the business of instruction, or in some of the learned professions. Many of them are now distinguishing themselves in their several callings, and some are doing honor to the legislative councils of the state. The effect of the establishment of these institutions has been to give to the people of the state a more expanded and liberal view of her policy.

Every intelligent man now favors internal improvements.

The subject of Internal Improvement, once thought to be impracticable and visionary, now meets with a friend in every man of intelligence. The question now is, how shall we best render navigable our rivers, and open and improve our roads? How shall we lessen our dependence on the adjacent states, and best avail ourselves of the advantages which nature has given us? Our criminal code, once sanguinary and bloody, has become mild and just; our citizens have become more civilized and refined, and North-Carolina begins to have a just sense of what is due her own character and standing as a member of the Union.

Only a few able to send children to an academy or the university.

Your committee regret, while advantages have been thus afforded to men of property and fortune of educating their children, that the State, on her part, has not made corresponding efforts to establish primary schools, where the poor could have an opportunity of educating their children. The number who have the means of sending their children to an academy, or to the University, is comparatively small; and your committee apprehend, that while the efforts of the liberal and the more wealthy to establish these seminaries may have given to their children advantages which they did not before possess, that it may have had the contrary effect upon the poorer classes of the community.

The population of North-Carolina is so thin, that in most parts of the state, it requires the whole of a neigh-

borhood to find employment and afford the means of paying neighborhood teachers. Where the means exist, as those who are most engaged in the cause of education generally send their children to some Academy, or to the University, the balance, not so justly appreciating the importance of the subject, suffer it to remain neglected for the want of suitable persons to give an impulse to their exertions. The establishment of primary free schools, where the poor as well as the rich can have an opportunity of instructing their children in the rudiments of an English education is certainly "a thing devoutly to be wished for" by every friend of his country.

Population sparse;
primary schools
neglected.

Your Committee, however, in the present embarrassed condition of the country, would despair of this State, without any fund at its disposal, except what is collected by taxes from the people, being able to do any thing effectual upon this subject, were it not for the claim which North-Carolina has upon the general government for an appropriation of public lands for the purposes of education. This claim is not a new one on the part of North-Carolina. The subject was brought before the Legislature at a former session, which, by joint resolution of both Houses, instructed their Senators, and requested their Representatives, in Congress from this State to urge the right of North Carolina, to participate in the appropriations of Public Lands for the purpose aforesaid, in just proportions to what had been granted to the new states. This claim the Senate of the United States thought it inexpedient to grant. Your Committee are, however, gratified that the subject has of late been much canvassed by the old States; particularly by Maryland and New Hampshire, and that there is reason to believe that they are disposed, through the medium of their representation in Congress, to assert their rights to share in the benefits of these appropriations.

Primary schools
can not be estab-
lished by taxation

Appropriation of
public lands for
education not
granted by United
States.

Your committee do not consider it important to enter

The land discussion.

minutely into the discussion of the question made in the Maryland, and assented to in the New-Hampshire Report, whether previous to the several cessions which have been made to the general government, the non-ceding states were in justice entitled to participate in the extensive back country which then formed a part of the states, which have since made such large cessions to the United States; because they cannot see how it can be made to have any bearing upon the main question. If, however, they were to express an opinion, it would be unfavorable to the claim then set up by the minor states.

The public lands do not belong to a few states.

The war of the revolution was a war of defence, not of conquest. The States, from a sense of individual weakness, associated together for their mutual safety, in the character of States, having certain chartered limits, which were recognised as their respective boundaries, for the purpose of protecting the persons and property of their citizens from the exactions of arbitrary power, and of defending the unalienable rights of man. It never was understood, or even contemplated, that the war was to be waged for the acquisition of territory. No such motives ever actuated the citizens of the United States. It is a novel idea to your Committee that two or more States, engaged in a war on the same side, impelled by the same motives, because they are successful, can be said to be entitled to any portion of each other's territory by right of conquest. The victory which is achieved is over the *common enemy*, but the conquest, it seems is over *each other*. Under the articles of confederation, the States were sovereign to all intents and purposes. The consideration was only a strict alliance for purposes of mutual safety and defence.—When, therefore, Great Britain acknowledged our independence, it was as separate, sovereign and independent States.

Again, conquest implies the acquisition of territory. No one state in the Union acquired any territory by the

war. Each remained within its former chartered limits. The larger States, however, have now parted with *any* right they formerly had in the lands they have ceded, and the other states, through their representation in Congress, have admitted that the right was in the ceding States, by accepting their cessions upon the conditions and qualifications contained in the several cession acts. In 1789 the General Assembly of North-Carolina passed an act, ceding all that tract of country, which now constitutes the State of Tennessee, to the United States. As it regards the claim of North-Carolina to the territory over which she then, and previous to that time, had exercised jurisdiction, there can be no question. Her boundaries had never been defined by any charter subsequent to her own; her claim, there, rested upon as firm a basis as the claim of Maryland to the territory over which she now exercises jurisdiction. The act of cession has the following preamble: "Whereas, the United States, in Congress assembled, have repeatedly and earnestly recommended to the respective States in the Union claiming or owning Western Territory, to make cessions of part of the same as a further means as well of hastening the extinguishment of the debts as of establishing the harmony of the United States and the inhabitants of the said Western Territory, being also desirous that such cessions should be made, in order to obtain a more ample protection than they have heretofore received. Now this State being ever desirous of doing ample justice to *the public creditors*, as well as the *establishing the harmony of the United States*, and complying with the reasonable desires of her citizens: Be it," &c. Which shows very clearly the temper of the people at that time. It was soon after the close of the revolutionary struggle, when the States, having each their quota of public debts to pay, and having no surplus fund, that is to say, the smaller States, when public and private confidence were in a great measure shaken, the creditor

Cession of Tennessee to United States.

Lands in Tennessee ceded to aid in paying debt of revolution.

Patriotic motives of people of North Carolina.

was apprehensive of the loss of his debts, and the people were oppressed by the burthen of the taxes imposed to defray the ordinary expenses of government, and borne down under the weight of debts already contracted.

Public lands by right belong to all the states, not to a few.

These circumstances gave rise to much discontent and complaint, and, no doubt to the pretended claim on the part of the minor States, to participate in the Western Lands belonging to other States. It was certainly generous and may have been politic, in those States to make large cessions to the Union, for the purpose of securing the payment of the public debt, restoring harmony to the people of the different States, and gratifying the wishes of a part of their respective citizens, who were anxious to set up for themselves. It is no less certainly the duty of Congress to see that this magnanimous act of generosity be not abused, and the fund which was intended for general, applied to local purposes. The act also contains this provision: "That all the lands intended to be ceded by virtue of this act, to the United States of America, and not appropriated as before mentioned, *shall be considered as a common fund for the use and benefit of the United States of America, North-Carolina inclusive, according to their respective and usual proportion in the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever.*" Language could not have expressed the intention of the Legislature more plainly, or placed the claim of those States, which have not yet received appropriation, upon a firmer basis. The acts of cession of other States contain similar provisions.

Congress ought to keep faith with the state.

Your committee have too an exalted opinion of the Congress of the U. States, to believe that however much they may doubt "the expediency of making appropriations for the benefit of the old, corresponding with those already made for the new States," they can hesitate for a moment to redeem the plighted faith of the nation, and perform the very conditions upon which the cessions were made.

Your committee gave no additional force to the reasoning contained in the reports to the Legislature of the States before mentioned, to show the justice of the claims of the non-ceding States to be allowed appropriations proportionate to those already granted to the new States; and they admit the claim of those States, which have made the largest cessions, are placed, by the several acts upon the subject, on the same footing, except, perhaps, that there may be more equity in the claim of the ceding States, inasmuch as they have made the contract, and paid the consideration upon which the benefit of the stipulations contained in the several cession acts, have been guaranteed to them. There can be as little doubt of the right of all the States to share the advantages which have resulted from the purchase of Louisiana, and the Indian title to the Public Lands, as they were paid for with money drawn from the Treasury of the U. States, in the proportion that they have contributed towards the same. As that might be a difficult matter to ascertain, perhaps no better mode can be devised than the one suggested by the Maryland Committee, the ratio of square miles.

All the states have right to share in lands of Louisiana and the Indian lands.

Your committee are satisfied that the statement and calculation made in the Maryland report are correct. That the amount of unappropriated Public Lands is four hundred millions of acres. The total amount necessary to do justice to those States, which have not yet had any appropriation made in their favour, is 9,370,760 acres, or something less than 2 1-2 per cent upon the whole amount.

A calculation showing amount of public lands.

That the amount already appropriated for literary purposes, and which will be appropriated, if the system hereinbefore adhered to for the benefit of the new States and Territories, is 14,576,569 2-3 acres. North Carolina is entitled to an appropriation of 980,666 acres, which, at two dollars per acre, would amount to the sum of \$1,961,332. Two dollars per acre being something less than the average price for which government lands have sold, it

Calculation showing share of North Carolina in the public lands.

What this would enable state to do for education.

would be fair to estimate the claim of North-Carolina at \$2,000,000; the interest upon that sum would be \$120,000 per annum, which divided equally among the counties in the State, would make the sum of \$1,933.70 per annum, to each county. \$120,000 per annum, divided among all the different counties in the State, according to their respective population and wants, judiciously managed, would enable the Legislature to establish schools to a considerable extent, in each county. The means of obtaining education would thus be brought home to the doors of every individual, and the poor, as well as the rich, could avail themselves of the advantages of a fund so wisely appropriated.

Appropriation already made applauded, partiality condemned.

Your committee applaud, rather than condemn, the appropriations already made, and all they ask is, that Congress will make them general, not partial, that, that which is expressly stipulated to be a common fund, for the common benefit of all the States, shall not be applied exclusively for the benefit of any particular State or section of country.

Maryland report approved.

Your committee, from every consideration which they have been able to give the subject, cordially concur with the sentiment expressed in the Maryland Report, "that in whatever point of view the public lands are considered, whether as acquired by purchase, conquest or cession, they are emphatically the common property of the Union. They ought to inure, therefore, to the common use and benefit of all the States, in just proportions, and cannot be appropriated to the use and benefit of any particular State, to the exclusion of the others, without an infringement of the principles upon which cessions from states were expressly made, and a violation of the spirit of our national compact as well as the principles of justice and sound policy." They also agree perfectly in opinion with the sentiment expressed by the Legislature of New-Hampshire, "That those states for whose benefit such appropri-

New Hampshire report quoted.

ations have not yet been made, will not be true to themselves, if they do not make known to Congress, who alone possess the power to make them, their request for such appropriations, not as a matter of favour, but of right." They, therefore, respectfully recommend the adoption of the following resolutions:

Resolved by the General Assembly of North-Carolina, That each of the United States has an equal right to participate in the benefit of the public lands as the common property of the Union; and that the States in whose favour Congress has not made appropriations of land for the purposes of education, are entitled to such appropriations as will be in just proportion with those already made in favor of other states, and in accordance with the principles upon which cessions have been made by States to the United States.

Resolved, That his Excellency the Governor be requested to transmit copies of the foregoing Report and Resolution to each of our Senators and Representatives in Congress. with a request that they will lay the same before their respective Houses, and use their endeavours to procure the passage of an act to carry into effect the just principle therein set forth.

Resolutions reported for adoption.

Resolved, That His Excellency the Governor be also requested to transmit copies of the said Report and Resolutions to the Governors of the several states of the Union, with a request that they will communicate the same to their respective Legislatures, and solicit their co-operation.

All of which is respectfully submitted.

SAMUEL HILLMAN, Chairman.

—*Raleigh Register, Jan. 4, 1822.*

6. WORK OF BALEIGH FEMALE BENEVOLENT SOCIETY.

Society in existence
for some time.

We have observed with pleasure that the young Gentlemen of this place have associated themselves to perform a Play this evening, (Wednesday,) for the benefit of the *Female Benevolent Society*. This Society has existed for some time past, and has for its object the promotion of industry and the instruction of the children of indigent parents in the first rudiments of learning.

Industrial work.

Our readers will excuse our dilating a little on the subject so interesting to the lower class of the community, and so reputable to those who are at the head of this Institution, whom Providence has blessed with the means and inspired their hearts to enter earnestly into this labor of love. The object of this Society is to purchase raw materials, which the poor and industrious females are employed to spin and weave into useful cloths for domestic use—and these are made up and sold for the benefit of the Society, & thus their small funds (arising from annual subscriptions and charitable donations) is continually revolving for the benefit of the poor.

Indigent children
educated.

Before this school was opened it could not have been believed that there were so many poor children in the neighborhood, in so great a degree destitute of instruction. It is a pleasing sight now to observe between 40 & 50 children "trained up in the way they should go," and regularly brought to Divine Worship, many of whom probably never before attended on such an occasion. These children are not only instructed on the Sabbath-day but attend school regularly five days during the week, under the superintendence of a pious lady competent to the task, who is paid by the Society. Too much praise cannot be bestowed on this undertaking and its benevolent founders. We trust they will persevere; and it argues well that the

young Gentlemen have with characteristic liberality, volunteered their services to aid the funds of the Society.

—*Raleigh Register, July 4, 1822.*

Sunday last being the Anniversary of the *Raleigh Female Benevolent Society*, a very appropriate and eloquent Sermon was delivered by the Rev. Mr. Green, from the following words—"But whoso hath this world's goods, and seeth his brother have need, and shutteth up his bowels of compassion from him, how dwelleth the love of God in him?" and a collection was then made in aid of the funds. A brief sketch of the progress of the Society during the last year was read in the Church—from this document it appears that this Institution has already been productive of much good; and it is not to be doubted that the advantages accruing from it to the poor of the city will be felt more sensibly every year, as one of its principal objects is to give to destitute female children such an education as will tend to render them useful and respectable members of society. The children of the School were present on the occasion, and Mr. Green alluded very happily to them in his appeal to the benevolence of the Congregation.

Anniversary
sermon.

—*Raleigh Register, August 2, 1822.*

WANTED

A RESPECTABLE Female to take charge of the School under the patronage and superintendence of the Raleigh Female Benevolent Society.

It will be expected that whoever undertakes to teach the Children, shall be competent to instruct them in the rudiments of the English language, the common rules of Arithmetic, Writing, Sewing and Knitting. Further, it will be expected that the teacher will take charge at bed and board of such children as the Society have, or may adopt, to be supported, clothed and educated at the expense of the Society.

Courses of study
in the society free
school.

A small dwelling attached to the School Room will be furnished to the person who undertakes the services above mentioned.

Application may be made to the President or Managers or to the Book Store of J. Gales and Son.

May 14.

—*Raleigh Register*, June 8, 1827.

1823

- 1. GOV. HOLMES' MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. HILL'S RESOLUTION ON ESTABLISHING SCHOOLS.**
- 4. THE LEGISLATURE URGED TO ESTABLISH COMMON SCHOOLS.**

1. GOV. GABRIEL HOLMES' MESSAGE ON EDUCATION.

Experimental
farm for use of
university in teach-
ing agriculture.

Details in outline
of the plan.

Utility of the plan.

I trust it will not be deemed chimerical to recommend the purchase of a small farm near our University, to be put under the care of a scientific and practical farmer, who should, besides a small salary, given as an additional inducement for one qualified to offer, be allowed the produce of the farm, which should be cultivated in the highest order. On this farm experiments should be made under the direction of the Professor of Chemistry, in manuring, as to kind, quality, and manner of applying, and in the various methods of cultivating different articles of common growth, and such as might be deemed important to introduce from abroad. The person having charge of the Farm should understand the mechanism and use of the most improved implements of husbandry, and also be well informed in the different departments of domestic economy. It is unnecessary to be more minute, as my design is only to sketch an outline of the plan, which some reflection has suggested to my mind. Let the students of the University, of the two higher classes, accompanied by the Professor of Chemistry, visit this little farm at such time as might be fixed upon by the Faculty of the University, and there see and learn the usefulness and beauty of husbandry. What a stock of useful knowledge would this enable our young men to carry with them into the bosom of society! The utility and practicability of this plan derives much support from the assurance which we may feel, that the able and indefatigable Faculty of our University, would cheerfully co-operate in the attainment of the important objects in view.

—*House Journal*, 1823-4, p. 119.

2. ASSEMBLY COMMITTEES ON EDUCATION.

Senate Committee on Education: Wm. M. Sneed, Granville; Charles A. Hill, Franklin; Nathan B. Whitefield, Lenoir; John Hill, Stokes; Edward Ward, Onslow. Senate committee on education.

—*Senate Journal*, 1823, p. 13.

House Committee on Education: James Graham, Rutherford; S. Whitaker, Wake; Charles Fisher, Rowan; Joseph Flynt, Stokes; Bedford Brown, Caswell; Thomas Clancy, Hillsborough; Thomas N. Mann, Nash; Ephraim Mann, Tyrrell; William Wilkins, Edgecombe; Theodore Barrow, Perquimans; William Watson, Hyde; Charles Edwards, Greene; L. T. Oliver, Onslow; Wm. K. Frederick, Duplin; Gideon Seawell, Moore; John Cole, Richmond. House committee on education.

—*House Journal*, 1828, p. 126.

3. HILL'S RESOLUTION ON ESTABLISHING SCHOOLS.

On motion of Mr. J. A. Hill¹,

Constitution re-
quires schools for
convenient in-
struction of youth.

Resolved, that the committee on education be instructed to enquire into the expediency of establishing, by law, schools throughout this State, in conformity to the 41st section of the Constitution, which makes it the duty of the Legislature to establish schools for the convenient instruction of the youth of the state, and to provide for the due encouragement and promotion of useful learning; and that said committee have leave to report by bill or otherwise².

—*House Journal*, 1823, p. 150.

¹ J. A. Hill, New Hanover.

² Made no report and no bill was proposed.

4. THE LEGISLATURE URGED TO ESTABLISH COMMON SCHOOLS.

There is one subject which, amidst all the political ferment and turmoil of the times, we hope will not be passed by unnoticed. The subject of Education has been too long neglected by the Legislature; but we hope at this session something will be done to encourage it. We have a well endowed and very respectable University; but its advantages are too remote from the great mass of the population of the state, to be felt and appreciated by them. The people at large are deplorably deficient in the *rudiments* of an education. To obviate this, primary schools are wanting. No appropriation which the Legislature could make, would be so little objected to as one for the support of common schools. We do hope some member will make an experiment this session, and see what can be done in the Legislature on this subject.

Establishing schools too long neglected.

People deficient in rudiments of education.

Appropriation for schools would be little objected to.

—*Editorial in Western Carolinian, Nov. 18, 1823.*

1824

- 1. GOV. HOLMES' MESSAGE ON EDUCATION.**
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URGED TO ESTABLISH SCHOOLS.**
- 9. AN EDGECOMBE APPEAL FOR FREE SCHOOLS.**

1. GOV. GABRIEL HOLMES' MESSAGE ON EDUCATION.

It may not be amiss, gentlemen, to say somewhat on the subject of Literature. It is unquestionably of vital importance to the respectability of the State, as well as individual prosperity and happiness. But I have harped on it so often (and as often I presume, have my predecessors) that I now touch the chord with almost hopeless expectations and frigid indifference. But whilst I see our sister States boasting of millions appropriated to that fund and that well organized little Republic, Connecticut, proudly declaring that her every son and daughter can read and write—by the contrast our policy forms with their regulations, I am irresistibly constrained to invite your attention to the improvement of the minds of the rising generation of North Carolina.

Education is of vital importance to the state and to the individual; other states ahead of North Carolina.

Our Fiscal Department is in a flourishing situation; our treasury abounding in gold and silver, or its adequate value, collected from the people, and not one cent appropriated to the improvement of the minds of their children. I mean those who have not the means to afford their sons and daughters liberal educations. Surely, then, we cannot, consistent with good policy, hesitate to create a fund, that will assist the parents of every denomination, to initiate their offspring in elementary rudiments of learning. Knowledge, well and generally diffused amongst every class of our citizens, is the best security of their constitutional rights and liberties. It will enable them to resist all innovations of Demagogues or ambitious men, whose views to the constitution are inimical or subversive. The people are industrious and patriotic; they cheerfully subscribe to the necessary demands of the State upon their purse, without a murmur. They would most gladly receive and greatly acknowledge your patronage for the improvement of their families. They have a right fully to

An overflowing treasury but nothing appropriated for education; creation of school fund suggested.

The people will approve a measure looking to the education of the children

anticipate your fostering care, and I cannot doubt but that the advantages resulting to society from such measures, will claim your wise and well digested liberality toward them.

—*House Journal, 1824.*

2. HILL'S SCHOOL FUND BILL.

Monday, December 6, 1824. Mr. Hill¹, from the Committee on Education, reported a bill to create a fund for the purpose of educating that part of the infant population of this State, who shall from time to time be found destitute of the means of becoming otherwise properly taken care of, in that particular; which was read the first time and passed, and, on motion of Mr. Outlaw², ordered that the bill and the report be printed.

Bill to create a fund to educate poor children introduced in Senate.

—*Senate Journal*, 1824-25, p. 42.

Wednesday, Dec. 29, 1824.—The bill to create a fund for the purpose of educating that part of the infant population of this State who shall from time to time be found destitute of the means of becoming otherwise properly taken care of in that particular, was read the second time. Mr. Speight³ moved that the bill be indefinitely postponed, which was not agreed to. The yeas and nays on this question being demanded by Mr. Hill, are as follows:

Vote on indefinitely postponing bill in Senate.

For indefinite postponement are,

Yeas.—Messrs. Barringer, Calloway, Davis, Forney, Harrell, Marshall, Marsh, Speight, Shober, Sherrod, Williams of Beaufort, Wellborn—12.

Against indefinite postponement are,

Those voting on the postponement of the bill.

Nays.—Messrs. Baker, Brittain, Bullock, Bryan, Bethune, Boddie, Boykin, Beasley, Carson, Davidson, Devane, Frink, Fisher, Gibbs, Greene, Hill, Joiner, Love, Matthews, McLeod, Legrand, McDaniel, McLeary, Mont-

¹ Charles A. Hill, of Franklin.

² George B. Outlaw, of Bertie.

³ Jesse Speight, of Greene.

gomery, Nuttall, Perkins, Parker, Peebles Poole, Riddick, Roberts, Shipman, Salyear, Smithwick, Sullivan, Seawell, Vanhook, Williams of Lenoir, Williams of Moore, Wilson, Ward—41.

The question then recurred on the passage of the said bill the second time, which was determined in the affirmative, and the same being read the third time, Mr. McLeod¹ moved to strike out the words negro traders and billiard tables in the first section, which was not agreed to. Mr. Carson² moved to add the following section to the bill:

Amendment
adopted.

“That the tax hereafter to be collected from persons keeping a billiard table, shall be one hundred dollars, to be licensed and collected under the same rules and regulations and restrictions as by law are now provided in the collection of such tax.”

Which amendment was agreed to.

The yeas and nays on the adoption of this amendment being demanded by Mr. Nuttall³, are as follows:

For the adoption of the amendment are,

Yeas and nays on
Carson amend-
ment.

Yeas—Messrs. Baker, Brittain, Bullock, Bryan, Blackwell, Beasley, Carson, Davidson, Devane, Frink, Forney, Gibbs, Greene, Hill, Harrell, Love, Matthews, Montgomery, Perkins, Peebles, Pool, Riddick, Roberts, Shipman, Salyear, Smithwick, Sullivan, Shober, Seawell, Williams of Lenoir, Williams of Moore, Wilson, Ward, Wellborn—34.

Against the adoption of the amendment are,

Nays—Messrs. Barringer, Bethune, Boddie, Boykin, Davis, Fisher, Joiner, Legrand, Marshall, Marsh, McLeod, McDaniel, McLeary, Nuttall, Parker, Speight, Sherrard, Vanhook, Williams, of Beaufort—19.

¹ John McLeod, of Johnston.

² Samuel P. Carson, of Burke.

³ James Nuttall, of Granville.

The question then recurred on the passage of the said bill the third time as amended, and the same was determined in the affirmative. The yeas and nays on the passage of the bill the third time being demanded by Mr. Speight, are as follows:

The vote on third reading of the bill in the Senate.

For the passage of the bill are,

Yeas—Messrs. Baker, Brittain, Bullock, Bryan, Bethune, Blackwell, Boykin, Beasley, Carson, Copeland, Davidson, Devane, Frink, Fisher, Gibbs, Greene, Hill, Love, Legrand, Matthews, McLeary, Montgomery, Perkins, Parker, Peebles, Pool, Riddick, Roberts, Shipman, Salyear, Smithwick, Sullivan, Seawell, Vanhook, Williams, of Lenoir, Williams, of Moore, Wilson, Ward.—38.

Against the passage of the bill are,

Nays—Messrs. Barringer, Boddie, Calloway, Davis, Forney, Harrell, Joiner, Marshall, Marsh, McLeod, Nuttall, Speight, Shober, Sherrard, Williams, of Beaufort, Welborn.—16.

Thereupon the bill was ordered to be engrossed.

—*Senate Journal*, 1824-25, pp. 102-103.

Friday, December 31, 1824. Received from the House of Commons a message, stating that they have rejected the engrossed bill to create a fund for the purpose of educating that part of the infant population of this state who shall from time to time be found destitute of the means of becoming otherwise properly taken care of in that particular.

House rejects the Senate bill.

—*Senate Journal*, 1824-25, p. 110.¹

¹See *House Journal*, December 30, 1824, p. 121. The House indefinitely postponed the bill without division.

THE BILL.

A Bill to create a fund for the purpose of educating that part of the infant population of the State who shall from time to time be found destitute of the means of becoming otherwise properly taken care of in that particular.

Certain bank stock and license taxes to be constituted a school fund.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that all the Bank Stock, which shall be acquired by this State, through the investment of the proceeds of the Treasury notes ordered to be issued by the last General Assembly; together with all the monies which shall annually be collected from the taxes at present laid or which shall be hereafter laid on Gates, natural and artificial curiosities, peddlers, negro traders, and Billiard tables, shall be, and the same are hereby appropriated as a fund for the purpose aforesaid.

Commissioners to manage the fund.

And be it further enacted that the Governor, for the time being, the Secretary of State, the public Treasurer and the Comptroller shall be, and they are hereby declared to be commissioners with power to take charge of the said stock and monies and to employ them in such manner as they shall judge best calculated to further and promote the end in view.

Commissioners to make an annual report to Legislature.

And be it further enacted that said Commissioners shall report annually and fully to the General Assembly to the end that that Body may be the better enabled to determine on the time and manner in which the interest of the fund so to be created, or any part of it shall be applied to the purpose above mentioned.

Taxes on billiard tables.

Be it further enacted that the tax hereafter to be collected from persons keeping a Billiard table, shall be one hundred dollars, to be secured and collected under the same rules, regulations and restrictions as by law is now provided in the collection of such tax, any law to the contrary notwithstanding.

In Senate Dec. 30, 1824, Engrossed and Examined. Clerk's entry.

In House of Commons Dec. 30, 1824, read the first time and rejected.

—*From Unpublished Legislative Documents, 1824-25.*

3. SENATE COMMITTEE REPORT ON EDUCATION.¹

The Committee on Education having taken the subject under consideration report

Education the
foundation
of liberty.

That so sensibly affected are they, with the importance of a general diffusion of useful knowledge among all the classes of the community in a free and independent nation, they have been induced briefly to examine the effects of education, as tending to raise and maintain the foundation of liberty in all nations.

“To teach the young idea how to shoot”

The imagination
can not conceive
all the blessings of
education.

has deservedly engaged the Philanthropist in every age, in every clime. The committee are aware that the imagination, with all its active energies, is still inadequate to embrace and contemplate all the blessings resulting from the powers and faculties of the mind, when well stored with useful and valuable learning; but being taught by the history of olden times, that the mind herself is stripped of her brightest gems; that liberty, however dearly bought, is but an empty sound, unless aided by such a share of useful knowledge, as will unfold and cherish their inherent beauties; Your Committee will venture the assertion that life itself is but an evanescent shadow, without the proper improvement of the mind. If we view the dawn of liberty in Greece; if we contemplate its advancement in that classic region we discover, at once, that education led the van. And what but the awful inroad made on mental

Education the foe
of tyrants.

¹ Senate Committee on Education, 1824-25 : Charles A. Hill, Franklin; Samuel P. Carson, Burke; Benj. W. Williams, Moore; Isham Matthews, Halifax, and James Nuttall, Granville. Mr. Hill made the report. See Senate Journal, 1824-25, p. 42.

refinement has deluged, with slavery, barbarism and degradation, the once delighted and all powerful Greece? While she gloried in her Demosthenes, Epaminondas, Pelopidas and other innumerable enlightened statesmen, nor tyrant arms, nor despots frowns could awe her into submission. She stood preeminently proud, entrenched under the impregnable ramparts of her own defence. But soon as wealth and pride had usurped all power, and useful learning was adjudged to check their dread career, ignorance and sloth then put forth their baleful influence and in their gorgon of destruction, buried her liberty for ages. This second paradise, this mother, cradle and mantle of freedom,—this emporium of all that was truly good and glorious,—this birth place and nursery of patriotism and philosophy, receded from her high and well earned fame;—Greece became the seat of savage ferocity; fell like the tall Cedar of Lebanon, and seemed only for a moment to have illumined the world by the splendid brilliancy of her scientific coruscations, more fully to demonstrate the importance of education to secure the rights of man. Thus too, old Rome, once mistress of the world—

The example of Greece warns us not to neglect education.

Rome also.

The advancement in civilization has ever proceeded in an equal pace, with the improvement of the mind. So the ramparts of freedom and the enjoyments of liberty have ever declined with the declension of useful learning. Despots alone rejoice in the ignorance of their vassals, and have sought security from their mental darkness.

Civilization and education have ever gone hand in hand.

Not so republics; they boast their security in the intelligence of their sons; for both have learned

Pope's lines.

“ 'Tis education forms the common mind
Just as the twig is bent the trees incline.”

The sad condition
of the ignorant
children of the
state.

Your committee would call the attention of the Legislature to an examination of the State of the indigent youth of the community; why engulfed in ignorance and overwhelmed in infamy that abject son of penury and want? Ah! perhaps his father's bones yet shine unburied on the fields of battle, where gloriously he fell in defence of our liberty. Who can tell the number of children, who, deprived by birth of the means of acquiring even an elementary education grow up, exposed to the delusions of vice, and soon yield to the deceitfulness of sin? Who can recount the children of our State who rise to manhood ignorant alike of men and manners, unable to read the sacred charter of liberty; unacquainted with the history of these glorious revolutionary struggles, which wafted our country to honor and independence; incompetent to search that sacred volume; which brought life and immortality to light.—These sojourn among us with as little honor to themselves, as usefulness to their Country,—are led captive by the tinsel glare of folly or ambition; become the veriest tools of duplicity and intrigue, and may at some future period subserve the purposes of a despot, to revolutionise our government, sap the very foundation of our republican institutions, and satiate the proud spirit of some aspiring Demagogue.

Ignorance the
cause of vice.

The Committee would direct the attention of the Legislature to our Villages, streets and cities,—to our gill-shops and prisons;—to the walks of female depravity and female pollution;—to the helpless orphan, and impoverished child;—to our criminal records and plans of execution;—Alas, what there do we behold? miserable objects; many whose virtues might have shown in the lustre of the State.

had they been blessed with even the elements of learning! Wretches whose first departure from morality and virtue, is signalised by that ignorance which your Committee would deplore and which your committee would remove! —unhappy victims of the wily and seductive arts, too often employed against female innocence and female affection! And why your streets, your cities, your neighborhoods, your prisons, your courts and the community crowded with these miserable characters?—Here is the cause. The helpless Orphan, the child of poverty, is suffered to grow up in that ignorance which dooms him to infamy and despair, because he is poor and disowned by the State.

Vice follows the neglect of the children.

Your Committee indulge the sanguine hope and lively anticipation of better times, and look with fond expectation to the commencement of a work, which may reverse these sad scenes by bestowing some portion of the care and patronage of the State, on the instruction of the indigent and orphan. The human mind is fitly compared to the marble in the quarry, which can never shine unaided by the hand of the sculptor. Talents of the first order, may, and frequently do lie buried in the bosom of the poorest Orphan or child of most abject poverty. Indeed the high renown and merited fame of many of the most illustrious of our Nation, warrant the assertion and demonstrate the fact, that persons of low estate and obscure birth, when fired by manly pride and virtuous ambition, are most likely to succeed in the march to honor and to fame.

Anticipate time when state will aid in the education of poor children.

Poor children often possess great talent.

Your Committee then recommend that when blessed with the means of removing so dreadful a calamity, we should dare the undertaking. That a work may be commenced, that could run parallel with immortality itself. Divine Providence as with an eye to so great and glorious an object has given to the State an overflowing treasury. Now then, Your Committee are persuaded is the moment to commence so brilliant a display of patriotism and mag-

The treasury overflowing, time now to begin to aid work of education.

The wealthy provided the means of education at the university.

Time to provide for the indigent youth.

Let the beginning be small, the work will grow.

nanimity. Already has the State afforded to the affluent and wealthy the happy opportunity of educating their sons. Already has she raised that pride and boast of the State; Already does her University deservedly rank among the first colleges of America; both from the extent of her funds and erudition of her Faculty. From hence is spread abroad that useful information, which is diffusing literature and science in every section of our State. But your Committee would not stop here; They behold and deplore the wretched state of ignorance to which a large portion of our indigent youth are doomed. This must be remedied and now is the favorable and auspicious period; this is the happy moment to lay a foundation for the general dissemination of good and valuable learning among every class, to the helpless and forlorn. Your Committee would again assert the means are at hand. There must be a beginning, and although that beginning be comparatively small, yet your Committee cherish the fond hope that as a large fire is often kindled from a little spark, so may the philanthropic mind look forward to the day, when future generations, shall look back to the proud period, when from this little beginning, virtue, liberty and science shall have cemented every section of our Country; when they shall rise up with prophetic eulogy bless the day of their redemption from ignorance and infamy, and everywhere announce paeans of praise to that Legislature, which shall stand forth as the first champion of equal rights in the State of North Carolina.

To effect the important objects embraced in this report, your Committee ask leave to report the following bill and recommended its passage into a law.

[See preceding pages for the bill referred to. C. L. C.]

—*From Unpublished Legislative Documents, 1824.*

4. ASHE'S BILL FOR EDUCATING THE YOUTH OF THE POOR.

Saturday, Dec. 11, 1824. Mr. Ashe¹ presented a bill providing a fund and plan for the education of the youth of the poor in the different counties of the State, which was read the first time and passed, and, on motion, referred to the committee on Education. Introduction in the House.

—*House Journal, 1824-25, p. 68.*

Monday, Dec. 13, 1824. Mr. Alston², from the Committee on Education³, to whom was referred the bill providing a fund and plan for the education of the youth of the poor in the different counties of this State, returned the same. *Ordered*, that the said bill lie on the table. Action of the committee.

—*House Journal, 1824-25, p. 72.*

Monday, December 20, 1824.—On motion of Mr. Bain⁴, *ordered*, that the bill providing a fund and plan for the education of the youth of the poor in the different counties of this State be printed, one copy for each member of the Assembly. Bill ordered printed.

—*House Journal, 1824-25, p. 88.*

¹ Samuel P. Ashe, Cumberland.

² Willis Alston of Halifax county.

³ The House Committee on Education. 1824-25: William Watson, Hyde; Alney Burgin, Burke; J. M. Flynt, Stokes; George Andrews, Rowan; John Scott, Hillsborough; William McCauley, Orange; Willis Alston, Halifax; R. H. Cowan, Wilmington; R. W. Goodman, Lenoir; Alexander Elliott, Cumberland; Alex. McNeill, Moore; J. L. Bailey, Pasquotank; J. N. Hoskins, Chowan; S. Whitehurst, Craven; Gabriel L. Stewart, Martin. See House Journal, 1824-25, p. 4.

⁴ Matthew Bain of Mecklenburg.

Falls on second reading.

Monday, Jan. 3, 1825.—The bill providing a fund and plan for the education of the youth of the poor in the different counties of this State was read the second time and, on motion, *ordered*, to be postponed indefinitely.

—*House Journal*, 1824-25, p. 133.

THE BILL.

A Bill providing a fund and plan for the Education of the youth of the poor in the different Counties of this State.

Duty of the Legislature to provide for the education of youth.

As it is the bounden and paramount duty of the Legislature in every well organized government, to provide for the tuition of youth, but more especially of those in republican and representative governments, the well being and perpetuation of which to make it coexistent with time depends on the capacity of the people to understand and fully appreciate the fundamental principles of the Government and laws they live under—as it is essential to the prosperity and welfare of the republic, that its citizens should be correctly informed and have a full knowledge of their political rights and social duties as members of a community, voluntarily submitting for the general good to

Benefits of education.

arbitrary regulations, an information and knowledge, which can only be obtained by making the acquisition of the rudiments of useful learning of easy, equal and general access to the children of every citizen, so as to place the child of the poor upon a footing with the rich, on what to them may be aptly termed the threshold of life; by so doing implant in their youthful minds an attachment to republican equality, and thus stifle if not destroy forever the disposition to assume and exercise those invidious and dangerous distinctions but too fast growing in our Country which the possession of inordinate wealth, and the inflated desire for personal distinction, with its concomitant ambition which that wealth gives birth to in the individual pos-

Equality of opportunity for all.

sessing it, who disposed to sacrifice the happiness of their Country and of myriads unborn to the gratifications of their passions and the furtherance of their ambitious views, proves clearly the positive necessity of planting in early youth, and in all classes alike, the genius of republican equality, virtue and civil duty, which can only be done effectually by regulating the education of youth by law, so as to make it general, uniform, and systematick; for the pride and desire of distinction in the rich, tho' few, with the obstinacy of some and the poverty of others, requires a positive law that shall open the door to the temple of knowledge to all classes without reserve, respect or distinction of person. Strongly impressed with such feelings and sentiments and ardently desirous to put in motion at once this wheel of mental independence, and enable man the more fully thus to become acquainted with himself and his God.

Education should be general, uniform and systematic, regulated by law.

1st. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that the members of the General Assembly shall, at the time, and in the manner of recommending Justices of the peace for the several Counties in this State, proceed to recommend a suitable person in each Captain's Company or District in their County to act as a Commissioner for the education of the poor of said County, who shall be commissioned by the Governor, shall hold their office during good behavior, and the said Commissioners so appointed together with the Chairman of the County Court (who shall be *ex officio chairman* of the Board), Shall form a board of Commissioners for the County wherein they reside, and a majority being present shall annually elect a Secretary if necessary for the furtherance and support of the objects and end for which they were appointed, and shall appoint a Treasurer who shall enter into bond with good and sufficient security, made payable to the chairman of said board and his suc-

County commissioners for the education of the poor to be appointed by the legislature.

Officers of the county commission

cessors in office for the benefit of the State in such sum as said board shall require, which bond shall be lodged with the Clerk of the County Court for safe keeping; together with a certificate of the appointment so made of Treasurer under the hand and seal of the Chairman aforesaid, which bond shall be sueable and recoverable as other State bonds now are or may be, and shall allow him a fair compensation for his services to be fixed by said Board.

Filling vacancies
in the commission.

2d. Be it further enacted, That should any of the Commissioners so appointed refuse to act, remove out of the District or die, then and in that case, any three Justices of the Peace of said Counties, including the Chairman, may appoint some person to fill said vacancy untill the ensuing Legislature, when the same and all other vacancies shall be filled as above.

Appropriation
from state treasury.

3d. Be it further enacted, That as soon as the said Board of Commissioners for any County has organized themselves as prescribed in the first section of this act, the Chairman of the Board shall procure from under the hand and seal of the Clerk of the County Court thereof a certificate of the organization of the same; that the Treasurer has been appointed and entered into a sufficient bond, for the faithful performance of his duty, the said certificate shall be presented to the Treasurer of the State, who upon renewing the order of said Chairman, shall place or cause to be placed in the hands of the said Treasurer, by semi annual payments, the amount which may be appropriated to said County as hereafter mentioned, viz:

TO THE COUNTY OF

Amounts to be
appropriated to
each county left
blank in the bill.

Anson \$	Bladen	Caswell
Ashe	Camden	Chatham
Buncombe	Columbus	Currituck
Brunswick	Carteret	Roberson
Blake	Chowan	Surry
Bertie	Cabarrus	Sampson
Beaufort	Craven	Wake

Cumberland \$	Jones	Nash
Davidson	Haywood	Onslow
Duplin	Lenoir	Orange
Edgecombe	Stokes	Pasquotank
Franklin	Tyrrel	Perquimons
Greene	Wilkes	Pitt
Gates	Warren	Person
Guilford	Lincoln \$	Rutherford
Granville	Martin	Richmond
Halifax	Mecklenburg	Rowan
Hyde	Montgomery	Randolph
Hertford	Moore	Rockingham
Johnston	North Hampton	Washington
Iredell	New Hanover	Wayne

which said sums are hereby appropriated annually out of any monies in the treasury not otherwise appropriated, and the receipt of the several Treasurers hereby appointed, shall be a sufficient voucher in the hands of the Treasurer of the State in the settlement of his accounts.

4th. Be it further enacted, That the Board of Commissioners for the several Counties, shall annually on some certain day to be fixed and agreed upon, among themselves, a majority being present, proceed to divide in the hands of their Treasurer to be by him kept, the sum so allotted to said county among the several Commissioners thereof for the benefit of the education of such children, whose parent, Guardian or friend in the estimation of said Commissioners, is or may be unable to defray the expense thereof, and he the said Commissioner is hereby authorized and required to take all lawful means, to cause the same to be taught the rudiments of an English education, and the order of said Commissioner shall be a good voucher in the hands of the Treasurer of the said Board in the settlement of his accounts; but the Treasurer shall not be allowed to issue to any one Commissioner a greater amount than shall be allotted to his District unless otherwise ordered by the Board.

Commissioners to apportion the fund and determine what children are to be educated in rudiments of an English education.

Commissioners to
report to the
governor.

5th. Be it further enacted, that on or before the first day of November in each and every year, the chairman of each and every Board of Commissioners in the several Counties in this State, shall cause a full and fair statement to be made out, and filed in the Governor's office of this State, and by him to be laid before each succeeding Legislature showing the sum received by such Board, the number of children instructed at the public expense, the term and price of tuition, and if any, how many deprived of instruction for the want of funds or other causes.

Treasurer of each
county board of
commissioners to
render an account.

6th. Be it further enacted that the Treasurer of the several Boards of Commissioners, appointed and commissioned as aforesaid, shall on or before the first of November in each and every year, settle and account with the Treasurer of the State, for the sum or sums so deposited with or paid over to him as before specified, and the Treasurer of the State is hereby authorized to receive in settlement or liquidation of the same, the receipt of any or all of the Commissioners so appointed, by this act, countersigned by the Chairman and Clerk of the County Court thereof, which receipts so signed shall be allowed the Treasurer of the board in the settlement of his accounts. and the said Treasurer of the Board shall not be eligible to reelection untill, he produce to this board the certificate of such settlement with the Treasurer of the State.

In House of Commons 11th Dec. 1824, read the First Time and passed and referred to the Com. on Education.

Clerk's entries on
the bill in the
House.

In House of Commons 13th Dec. 1824. Ordered to lie on the Table.

In House of Commons 20th Dec. 1824. Called up and ordered to be printed.

In House of Commons 3d Jan. 1825, read the Second Time, amended and postponed indefinitely.

—*From Unpublished Legislative Documents, 1824.*

5. COMMITTEE ON PLAN OF EDUCATION.

Resolved by the Senate and House of Commons of the State of North Carolina, That the Honorable John Louis Taylor, the Reverend Joseph Caldwell, Peter Browne, Esq., and the Honorable Duncan Cameron, be, and they are hereby requested to prepare a plan or system of Public Education for the instruction of Children of poor or indigent parentage, and that they report the same to the next General Assembly of this State. Committee to prepare a plan to educate poor children appointed

Resolved further, That his Excellency the Governor communicate these Resolutions to the Commissioners respectively named in the preceding resolution¹.

—*Laws of N. C., 1824-25, p. 96.*

¹ This resolution was introduced in the House of Commons, Jan. 3, 1825, by R. H. Jones, of Warren. See House Journal, 1824-25, p. 133.

6. HAYWOOD'S PLAN TO CREATE A LITERARY FUND.

Certain stock to form the beginning of a fund for education.

Legislature said to have been considering a long time some means to establish schools without taxation.

With respect to the stock to be purchased with the proceeds of the Treasury Notes issued and to be issued and sold, the Public Treasurer, strictly speaking, would, perhaps, be more within the line of his official duty, were he to remain silent, whilst this stock would of course, fall into the common mass of that which is already owned by the state; but bearing in mind that the General Assembly has long and anxiously sought the means of creating a fund, without resorting to taxation, which might ultimately prove commensurate to the providing the means of education, throughout the state, for that portion of our citizens who may, from time to time, be found destitute of them; he ventures on the liberty of respectfully submitting whether this stock, should it be thought expedient so to appropriate it, might not well be considered as laying the foundation of such fund, and forming, at least, a hopeful beginning.

—*From Report of John Haywood, Treas., to Assembly, 1824.*

7. HAYWOOD'S PLAN APPROVED BY WESTERN CAROLINIAN.

We are much pleased in seeing that the subject of Public Schools has again been brought to the attention of our Legislature. We hope it will meet with better success than at the two preceding sessions.

Treasurer Haywood, in the last paragraph of his Report, with a delicacy peculiar to himself, has pointed out the means for a school fund, which, if adopted, will make a "hopeful beginning." It is the counsel of age and experience, speaking to our members: it should not be disregarded. Plan approved.

It is surely the duty of all governments to attend to the education of the rising generation. Other states of the Union have done much already; but what has North Carolina, as yet, done? Literally nothing! As, however, our means at this time are insufficient to adopt a system, and carry it into effect, all that at present can be expected, is for the legislature to create a fund, set it apart, and pledge it to the purposes of education: it will soon increase; and in a few years, may be the means of diffusing the blessings of knowledge to thousands of the needy sons and daughters of North-Carolina. Duty of the government to educate rising generation, North Carolina has done nothing as yet.

We observe that the subject, in another shape, has also been brought before the Legislature. Mr. Ashe has introduced a resolution, in which he is for completing the whole system at once. His zeal in the cause has mislead him. When we have resolved to rear an edifice, prudence requires that the means for doing so should first be provided. And if we attempt to adopt a system of Poor Schools, it would be well enough to provide the necessary fund for doing so. We should do one thing at a time—for by attempting too much at once, the whole may fail. Ashe's plan not approved.

If the present Legislature adopts the recommendation of the Treasurer, and makes a "hopeful beginning," it is Only a beginning need now be made.



all we ought to expect at present; and by so doing, they will be laying the ground-work of a system that will do them immortal honor.

—*Western Carolinian*, Dec. 7, 1824.

Committee appointed to draft bill to provide fund for education.

We are pleased to observe, that the suggestion of Treasurer Haywood, relative to the formation of a "Fund," the avails of which should be applied to the support of common schools throughout the State, has been met by a becoming liberality on the part of the Legislature. A committee has been appointed, (as will be perceived by reference to the proceedings of the legislature) to bring in a bill on the subject. Let this fund only be established by law, and, to use the apt language of the Treasurer, a "hopeful beginning" will have been made.

Plan the most feasible.

As we observed in a former number of our paper, this plan for the support of common schools, appears the most feasible of any we have heard suggested: in fact, we believe it is the only one that could ultimately produce a permanent system for the maintenance of free schools. We know that the division of each county into convenient districts, and the assessment of a tax "upon each individual, according to his property," appears the most plausible to a superficial observer; and might, perhaps, as a temporary measure, answer very well. But we are afraid it would not do as permanent means. The people already complain of an excess of taxation; and should this laudable project be attempted to be carried into effect by immediate taxation, we have our fears that the whole plan would become unpopular; and such is the force of popular favor in our country, that no measure in opposition to it can be carried into successful operation. The legislature may enact laws for a dozen years in succession—but if they are not palatable to the people, they will remain a dead letter in the statute-book.

People complain of taxation, and will not approve of this means of establishing schools.

—*Western Carolinian*, Dec. 21, 1824.

**8. REVIEW OF OTHER SCHOOL SYSTEMS; NORTH CAROLINA URGED TO ESTABLISH SCHOOLS.—
I AND II, BY A. B.**

1. FOR THE WESTERN CAROLINIAN.

Mr. White: Governor Holmes, in his message, has alluded to the excellent system of common schools, in the state of Connecticut. President Dwight, in the 4th vol. of his Travels, has given a particular and interesting account of the school system in that state. Review of the school system of the state of Connecticut. "For the support of the schools, (says he) the state pays out of the treasury, annually, the sum of two dollars upon every thousand dollars in the list of each school society, to its committee, for the benefit of the schools within its limits. It also pays to these societies, half yearly, the interest arising from the school fund. To form this fund, the state sold part of a tract of land, called "the Connecticut Reserve," lying on the southern border of Lake Erie, within the present state of Ohio. The principal sum arising from this source, was, in the treasury books, in May, 1821, \$1,700,000. But in order to entitle a school society to their proportion of this money, their committee must certify that the school in said society has been kept, for the year preceding, in all respects, according to the directions of the statute regulating schools; and that all the monies drawn from the public treasury for this purpose, have been faithfully applied and expended, in paying and boarding instructors.

If these monies are misapplied, they are forfeited to the state. If the committees make a false certificate, they forfeit sixty dollars. Each school society is to appoint suitable persons, not exceeding nine, to be overseers, or visitors, of all the schools within their limits. It is the duty of the overseers to examine the instructors; to displace such as may be found deficient, or will not conform to their regulations; to superintend and direct the instruc-

tion of the children in religion, morals and manners; to appoint public exercises for them; to visit the schools twice, at least, during each session; particularly to direct the daily reading of the Bible, by such children as are capable of it, and their weekly instruction in some approved catechism; and to recommend that the master conclude the exercises of each day with prayer.

Other New Eng-
land states.

The system of education in the other New-England states, does not differ much from that of Connecticut. The expenditures of Massachusetts (without the aid of a public fund, of \$1,700,000,) in support of public schools, is equally liberal. The city of Boston alone, expends, annually, on its schools, \$70,000. Here are schools of every grade, from the Primary, up to the Latin Grammar and classical schools, in which youth are prepared for the University, or acquire a very superior English education.

New York system
described.

Till within a few years, the common schools in the state of New-York were under miserable regulations. That state now has a school fund, which, though not equal to that of Connecticut, is very respectable. The writer is not able to state the precise amount of that fund, or how it was raised; but 12 or 15 years ago, it amounted to nearly \$500,000, and its annual income was more than \$36,000. The system of education in this state, when completed, is, that every four square miles shall have its school, under proper regulations. These regulations, as well as those of Connecticut, respect the qualifications of instructors. The call for "cheap" masters, has gradually given place to the more important one for well qualified instructors. The state of New-York, by the adoption and prosecution of its present enlightened system of education, will acquire more real glory, than by its far famed "Great Canal."—The one will give her wealth; the other intelligence: the one will convey her productions speedily and cheaply to market, and extend her commerce west of the Mississippi—from the other will issue her future Clintons, and Browns, and

Hamiltons; and a free, intelligent, enterprising population, at which tyrants will tremble!

But is it not time for North-Carolina to do something for the education of her children? The establishment of a few schools, at convenient places in each county, for 1-3 or 1-2 of the year, would be of vast importance to the State. If we cannot have a school for every four square miles, let us have one for every sixteen, or every twenty, or every thirty, square miles. And let us have, in different parts of the State, schools of a higher grade, at which young men may obtain suitable qualifications for school-masters, magistrates and legislators. Plan for North Carolina.

A. B.

—*Western Carolinian*, Dec. 21, 1824.

II. FOR THE WESTERN CAROLINIAN.

Mr. White: I wish to make a few additional remarks on the subject of education. When I closed my first communication, I was speaking with respect to schools of a higher grade than those at which our children are in general to be educated. Perhaps we have in our State more schools for the languages and sciences than the circumstances of the country call for. The consequence is, they are not well patronized. But so far as my acquaintance extends, we have not one school, the great object of which is to give our young men a superior English education. Nor till the great establishment of schools, with teachers of competent literary attainments, will there be much demand for them; for our youth will probably either aspire to a classical education, or be satisfied with such degrees of knowledge as those to which their parents attained. And yet it is to this last class, to men of their limited acquirements, that North-Carolina is to look for many of her instructors, of her magistrates, of her legislators, and of the officers of church and state. Establish schools, offer suitable salaries to instructors; and, in return, demand

High grade school to train teachers, etc., advocated.

proper qualifications, and you will render a most important service to your country.—You will cherish a spirit of enterprise among the citizens; you will open to those born in the humblest circumstances, the way to wealth, to usefulness and distinction.

Have acted as if nothing could be done.

It seems to have been a maxim which regulated the measures of our Legislature in preceding years, on the subject of education, that nothing could be done. And Governor Holmes, if I comprehend his meaning, seems to consider general education as desirable, rather than attainable, in our present circumstances. The subject, it must be readily admitted, is one of much difficulty, as well as one of immense importance. But if the object is great and desirable, and not absolutely out of our reach, difficulties should not deter us from laboring diligently and perseveringly for its accomplishment. We should cheerfully submit to much inconvenience, and to much expense, in order to obtain so great a treasure, as a good education for our children, and in order that our neighbors and the community at large may extend the same inestimable blessing to their offspring.

Location and support of schools not an insurmountable difficulty.

Both the location and the support of the schools will be attended with some obstacles. But cannot the collected wisdom of the State surmount them? The General Assembly might locate a few in each county, at the most eligible places, and leave the others to be located by proper persons, appointed for that purpose. Or whilst they assigned the number of schools to each county, according to its population, or some other principle, they might leave their location to the inhabitants.

Proof that we are able to support schools.

And as to the funds for the support of the schools, can they not be obtained without impoverishing the people, or drawing on their purses beyond what they will cheerfully bear? Here is the greatest difficulty. Overcome this and all the others will readily yield. But in case of war, or foreign invasion, North Carolina could easily raise, equip

and support in the field, 1000 men.—And can she not with equal ease if that number is needed, employ 1000 instructors half of the year? North-Carolina expends annually several millions of dollars for foreign commodities! Can she not employ to better advantage, one or two hundred thousand dollars within her own bounds, in educating her children? The money thus expended will not be sent out of the country. It will be still in circulation. I do hope Mr. Editor that the General Assembly will do this year something for the promotion of literature and education, more than make “fine speeches,” that they will take up this important subject with becoming spirit; and by their united wisdom, be enabled to originate and carry into successful operation, measures which will extend the blessings of education throughout North-Carolina. A. B.

—*Western Carolinian*, Dec. 28, 1824.

9. AN EDGECOMBE APPEAL FOR FREE SCHOOLS.

Education a question of highest importance.

Messrs. Editors:—The press of electioneering speculations relating to the Presidential Question, which so long monopolized public attention, having subsided, the present appears to be a proper season to bring before your readers, and particularly before the legislative body now in session, a subject which must be allowed by all reflecting persons to be of the highest importance. This subject is, the GENERAL diffusion of useful learning; or the education of the rising generation—the POOR, as well as the rich.

Instances of our public spirit.

The State of North-Carolina is distinguished for her patriotism and public spirit. The costly yet invaluable statue of Washington, will remain for ages a noble monument of her liberality, and will teach, with a silent though irresistible eloquence, the pure doctrines of pure republicanism, to generations yet unborn. Her generous provisions, also, for Internal Improvements, for Geological Experiments, &c., &c., reflect upon her enterprise the most unequivocal honour. It is gratifying to be able to say so much of our large and respectable State, but we would say more. Happy indeed, could we boast, with the New England and some other commonwealths, that all our youth have the means of instruction placed within their reach! We should then feel a well-grounded confidence, that our civil and religious institutions, being well understood and justly appreciated, would go down to our descendants, in their purity; that we should not be far in the rear of any community in the “march of mind,” and that, in defiance of the ordinary vicissitudes of life, and the fluctuations of pecuniary affairs, our immediate and remote posterity would be secure in the possession of a good, of which no events and no human power could deprive them.

At a cursory and inconsiderate glance, the wealthy appear to have little or no interest in the extension of elemen-

tary and other learning among the less favored classes. A closer view, a minuter investigation, will demonstrate the fact to be otherwise. Some sensible writer has informed us, and experience corroborates his calculation, that property, however large, rarely descends further than the third generation; often it is entirely annihilated by the second, and not infrequently, it is swept away, by unfortunate prodigality, by ill advised speculation, or unavoidable casualty, from him who originally acquired it. No man, however opulent his circumstances may now be, can know assuredly, that it will be in his power, ten years hence, to educate, from his individual resources a favorite son; and still less can he know, that that son will have the ability to procure the adequate instruction for a succeeding race.

A The rich are interested in educating the poor.

What an easy and simple and effectual barrier against contingencies so probable, is it within our means to apply! By the appropriation of some of the public lands, a proprietorship in which is felt by nobody, or by the laying of a small tax, which could not be oppressive, and which would excite complaint in none but the most sordid and ignorant, how incalculable an advantage might be conferred, not only upon those who are now on the stage of life, but upon the countless thousands who are yet to make their appearance! Among whom must be found the teachers, the pleaders, the jurors, the judges, the generals, the legislators, and the governors of a great people, who may look upon us, as at once their progenitors and their benefactors.

A small tax and a part of the public lands sufficient to support schools.

While, Messrs. Editors, we feel a commendable pride in what our State has done, and is doing to profit its population and exalt its dignity, let us ask those upon whom the lights of literature and science have shone with more or less effulgence, if there exists not a something which occasionally causes regret; which excites a feeling of unpleasant mortification; and which even mantles the cheek with a blush? What is this something? Is it not the general *want* of literary knowledge, and that of the lowest kind

General lack of knowledge excites feelings of mortification.

which prevails, with very few exceptions over all the rural parts of the State? It is a melancholy fact, that many of our farmers of wealth and character, nay, even many of our instructors and clergy, are notoriously deficient in Orthography, and Reading and Writing, and the commonest rules of vulgar Arithmetic. How much the influence of such men is diminished in society by this deficiency, it is needless here to enquire. It is indeed greatly to be lamented, that persons of vigorous natural powers, strong common sense, and sufficient experience, should be unable decently to exhibit their ideas and assert their talents, merely because they possess not the cultivation which, in earlier life they might have obtained, under a skilful preceptor, in a few months. In the Northern States, one never meets a native adult who cannot both read and write; we might extend this remark to all persons of fourteen years of age. Is it not desirable that our population be equally well instructed? and what is wanting to effect this but the disposition to make a fair experiment?

North Carolina compared with other states.

If we can not do as much as New England, we can still do something.

At the *Free Schools*, in the States of New England, "the rich and the poor meet together." There is no respect of persons. The rudiments of useful knowledge are accessible to all; and all avail themselves of the invaluable privilege. In North-Carolina, on account of the less density of our population, it might not be at present, practicable, even should it be thought expedient, to accomplish so much. But, because we cannot effect every thing, shall we attempt nothing? "Half a loaf is better than no bread." If the present legislature would, with a seriousness and zeal becoming the prodigious importance of the subject, but make a beginning;—if they could be persuaded to make even a *parsimonious* appropriation; or lay even a *small* tax, which would never alarm their constituents—this would be something—and something worth while too. In future sessions, when the nature and utility of the object should be better known and consequently better esteemed, more

Legislature urged to make a beginning.

legislative aid would undoubtedly be given ; and more, and more—till the end were obtained.

We presume not, Messrs. Editors, to prescribe to the Honorable Assembly, either the means or the manner, by which so vast an object as the Elementary Education of all youth is to be brought about. That Assembly, we are happy to say, enrolls among its members several, of high respectability, who are known to be favorable to the design ; and we charitably hope, that, in a body so wise and patriotic, there is not one member opposed to it.

It is hoped no member of Legislature will oppose the elementary education of youth

Lest any misunderstanding should arise, it may be necessary to define the phrase Elementary Instruction. We mean by it the common branches of English learning, viz. Spelling, Reading, Writing, Cyphering and English Grammar. These are the only studies which it is indispensably requisite generally to spread amongst all the people. By the assistance of these, the student of genius may with facility carry himself on to higher and more intricate speculations ; the student who has no extraordinary mental powers will desire to advance no further. This course of education is what is exactly adapted to the wants and business of life. More than this, few are desirous to obtain. So much, every person should be taught. The dead languages, and the abstruser sciences, as they have ever been, so they will probably ever continue to be, cultivated by *the few* instead of *the many* ; and for their accommodation, numerous private institutions of more or less merit, are already provided.

Elementary education defined.

The middle class of society, conjunctly with the poor, constitutes the great mass, which we denominate emphatically THE PEOPLE. They are our husbandmen, our mechanics, and our militia. To animate this important mass—to infuse into this great body a SOUL—to breathe into it the breath of life—is to multiply the means, and facilitate the acquisition of USEFUL LEARNING. Are we republicans ? Would we perpetuate those principles

What the education of the people means to church and state.

which gave us independence, and for which our intrepid ancestors expended their treasures, and shed their blood?—and are we attached to our State and confederative Constitutions? There are among us hundreds of brave and worthy patriots to whom these sacred principles are unknown;—hundreds who are not able to read a word in our excellent constitutions; and unless something be done to change materially the aspect of things in this respect, this evil will continue, and perhaps increase, till it MAY bring about the subversion of our liberties.—Are we christians? From many of our neighbors, and friends, and relatives, the BOOK OF LIFE is shut! To them it speaks no language neither of terror or of consolation! and may they not some day, like Montezuma, when the sacred Volume was handed him by a Spanish Priest—because he could not read and know its contents—dash it with contempt to the earth?

Education promotes happiness of individuals.

But, finally, setting aside both considerations of a political and religious nature, we ought to encourage a more extensive propagation of the means of knowledge among all classes, because such a course will reflect back upon us, more light and more happiness than we bestow. It will be bread cast upon the waters and found after many days. Among those who have been only tolerably instructed in literature, &c., there ever subsists a species of genteel and honorable emulation; a polite and friendly intercourse. They who can read, will read, and they who read will be prone to communicate to others what has given pleasure or instruction to themselves. By this means, conversation will assume a more elevated cast, the affections of the heart will be exalted and improved, and instead of the rawness, the awkwardness and the uncouth manners which give offence, and repress sociability, we shall participate in the advantages which result from a refined and reciprocal interchange of the courtesies of life. Our wildernesses and solitary places will then blossom like the rose.

Considerable exertions have recently been made in several counties in this State, to effect the object of this communication. In Edgecombe, a meeting was held, a few months ago, with a view, ultimately to petition the Legislature. But the novelty of the matter prevented the requisite degree of unanimity. In Pitt, Martin, and elsewhere, are many individuals, whose favorable opinion is known. I shall, Messrs. Editors, have realized my present expectations, and have accomplished my present object, when some gentleman of more leisure and ability than myself, shall have placed this topic before the public in a better dressed or a more attractive form. It is one of immense importance, and I shall envy the man his fame and honor, both with this age and with posterity, through whose talents and influence the blessing of FREE SCHOOLS shall be established upon whatever plan, and rendered accessible to *every class of the people*, in the State of North-Carolina.

Meeting held in Edgecombe to petition Legislature; division of purpose.

Edgecombe County, Nov., 1824.

—*Raleigh Register*, Dec. 3, 1824.

1825

- 1. RALEIGH REGISTER ON "EDUCATION OF THE POOR."**
- 2. "P. S." ON EDUCATION.**
- 3. JUDGE GASTON'S FOURTH OF JULY TOAST.**
- 4. THE RALEIGH REGISTER ON NECESSITY OF EDUCATION.**
- 5. PROPOSED HISTORY BY JUDGE MURPHEY.**
- 6. GOV. BURTON'S MESSAGE ON EDUCATION.**
- 7. ASSEMBLY COMMITTEES ON EDUCATION.**
- 8. ASSEMBLY RESOLUTIONS ON EDUCATION.**
- 9. EDUCATION REPORT OF 1825.**
- 10. ATTEMPT TO RAISE SCHOOL FUND BY LOTTERY.**
- 11. THE LITERARY FUND LAW.**
- 12. MEMORIAL OF ORANGE SUNDAY SCHOOL UNION.**
- 13. LOTTERY FOR PUBLICATION OF NORTH CAROLINA HISTORY.**
- 14. ATTEMPTED LEGISLATION.**
- 15. LOTTERIES FOR ACADEMIES REFUSED.**

1. RALEIGH REGISTER ON "EDUCATION OF THE POOR."

We congratulate our readers on the appointment of a very able committee for the purpose of forming for the next Legislature, a system for educating the children of indigent parents in this State. It is a subject that has long engaged the attention of our most worthy patriots and philanthropists, and it is one on the policy of which there is no difference of opinion. The venerable framers of our Constitution directed such schools to be established, and it is time that direction was obeyed. Nothing has prevented it, but the difficulty of forming a suitable plan for effecting the object. We trust this difficulty will vanish before the committee to which this subject is now committed.

Committee on plan of education; suitable plan has sooner prevented action by Legislature.

—*Raleigh Register*, Jan. 7, 1825.

2. "P. S." ON EDUCATION.

FOR THE WESTERN CAROLINIAN.

Surprising that our Legislature has not yet provided the means of education.

Example of New England in providing schools for the poor.

Commercial supremacy of New England the result of education.

Mr. White: In perusing the message of Governor Holmes to the Legislature of this state, I was particularly and forcibly struck with that part in which he adverts to the subject of Free Schools, and institutes the very striking contrast between the state of education in Connecticut and North-Carolina. It is, indeed, surprising that a subject so interesting to every philanthropist, so superlatively important in a political point of view, and so loudly and imperiously demanded by existing circumstances in our state, should have continued so long without attracting the special attention and engaging the active exertions of our Legislature. Of the utility of Legislative interference, the New-England states exhibit a most splendid and convincing illustration, in that high state of intellectual culture for which their whole population is distinguished. It is not in the giant minds of such men as Adams, Webster and Everett, that we trace the monuments of their intellectual superiority; but it is in those benevolent and political provisions for the general dissemination of education and intelligence, which, in the extent of their operation, pervade every domestic circle, and afford to the indigent parent that consolatory reflection, that a humane and liberal policy is showering blessings upon his offspring, for the attainment of which his own limited resources are inadequate. From this system of education, have emanated results the most splendid and encouraging to the active philanthropist, and to the politicians of other states. New-England, at this moment, presents a population which, for intelligence, patriotism and enterprise, is not equalled either in Europe or America; its agriculture and manufactures are in a constant and uninterrupted march to perfection; her marine waves its flag and rides on the bosom of

every sea, and every port of the civilized world exhibits monuments of their adventurous enterprise. But when we turn our views from this interesting picture to the consideration of our own state, the mind is loathe to contemplate the humiliating contrast. Whatever may be said of our rapid advancement within a few years past, an intimate familiarity with the lower order of our population is alone requisite to disclose the gross ignorance that exists. The dullness and incapacity which is permitted to enter our legislative hall, and disgraces us even in the national representation, and our former tame subserviency to the interests and designs of another state, evince most unequivocally the mental debasement of a large portion of our population. Those social feelings, ingrafted in our nation for the best purposes, urge most irresistibly upon us the duty of active exertion in ameliorating the condition of this wretched part of our population: And when we consider that (notwithstanding the infinite diversity of fortune and mental cultivation which have originated in the peculiar and varied conditions in which chance has placed us) we are all originally equal; and that, not unusually, the haunts of wretchedness and poverty contain the embryos of future heroes and statesmen: and when we contemplate, how large a portion of those who now constitute the pride and the glory of their country have sprung up from the very mires of obscurity, to their present elevated stations, either under the auspicious influence of patronage, or by the buoyancy of native, unassisted genius—we find additional inducements to co-operate vigorously in the contemplated design. These are considerations which apply to all men considered as social beings: but there are others which apply more particularly to ourselves, considered as citizens of the happiest and only free government on earth. The maxim, that “intelligence is the life of liberty,” is sanctioned by the authority of the chief of patriots, and most amply verified by the political

Ignorance of the lower order of our population.

Our leaders often spring from obscure homes.

Intelligence is the life of liberty.

experience of the last century. The more ignorant the people are, the more they are subject to be led astray by erroneous opinions, to be deluded by misrepresentations, and imposed upon by artifice. And so long as the mass of the population continues ignorant, no matter how liberal and judiciously adjusted the political system may be, its existence is destined to be transient.

Ignorance of the masses hinders republican government in Europe.

Why is it that Europe has so often witnessed republican institutions, originating in successful resistance to oppression, tumbling into the most furious and bloody anarchy, and at length terminating in a despotism more galling and oppressive than ever? It is this: the people of Europe do not possess that intelligence, and consequently that habitude of reflecting and judging for themselves, which is essential to the permanence of republican institutions.

Education a patriotic duty.

This view of the subject renders it peculiarly interesting to every patriot who contemplates with enthusiasm their splendid revolutionary struggle, and the happy and liberal political system to which it has given birth—who regards, with abhorrence, the abominable designs of the Holy Alliance to repress every burst of liberal feeling throughout the world, and who looks forward with delightful anticipation to that period when our republic shall be a light and landmark to the patriot of every clime.

Other states have outstripped us in intellectual and commercial affairs.

But not only the permanence of our republican institutions, but the character and honor of our state imperiously demand increased intelligence in the mass of our population. It is humiliating in the highest degree, to behold the gigantic strides by which our sister states have surpassed us in the march of improvement. Notwithstanding that here was first formed the spark which afterwards blazed in a mighty conflagration throughout the Union, yet how little have we profited by this bold and early display of American feeling? Our agriculture is nearly what it was in the days of our fathers; enterprise, of every kind, seems to have taken wings, and fled to some

congenial abode; our political existence has been but barely acknowledged; and, with very few exceptions, our representation at Washington has been such as to corroborate the degrading opinions entertained of our state. It is now high time to retrieve our lost honor, and establish our character for intelligence, patriotism and enterprize. And in accomplishing the grand object, the intellectual improvement of the lower classes must constitute the adamantine basis of the whole superstructure. Do this, and agriculture will feel its genial influence; commerce will wave its flag; talents and ability will mark our representatives; foreign influence will vanish from our deliberations, and our state assume that rank to which its resources and its political duration so eminently entitle it.

The education of the masses the only sure basis of agricultural and commercial prosperity.

P..... S.....

Lincolnton, Dec. 6th, 1824.

—*Western Carolinian*, Jan. 11, 1825.

§ JUDGE GASTON'S FOURTH-OF-JULY TOAST, 1825.

* * * * *

By William Gaston, Esq.—A system of general instruction: the development of our internal resources: the pure and able administration of justice: Let these be the cardinal objects of the policy of North Carolina.

* * * * *

—*Raleigh Register, July 8, 1825.*

4. THE RALEIGH REGISTER ON NECESSITY OF EDUCATION.

At the last session of the Legislature of this State, a resolution was passed, in which, Chief-Justice Taylor, the Rev. Joseph Caldwell, Duncan Cameron, Peter Browne, Esqs., were requested to prepare a plan or system of *Public Education*, for the instruction of children of poor or indigent parents, and report the same at their next meeting. From the acknowledged ability of the gentlemen thus designated, and, the zeal which they invariably manifest in promoting such measures as have for their aim, the interest of our State, we entertain no doubt, but that the wishes of the Assembly will be complied with.

Character of committee appointed to present a plan of education.

Considering education as one of the principal foundations both of individual and national prosperity, and believing that in governments framed for the happiness of their citizens, it is of the highest importance, that knowledge should be generally diffused, we sincerely hope that the subject will be presented to the consideration of our Legislature, in so forcible a manner, as to insure its success.

Education one of the foundations of prosperity.

In many of our sister States, particularly those of New England, the establishment of public schools is among the most favorable objects of their policy. Surely in a state, whose honors and offices are equally open to the exertions of all whose object is to adopt virtue and merit, however humble the soil from whence they emanate, the most certain mode of acquiring for the public the talents of all her citizens, is to extend to all as far as practicable, the benefits of Education.

Policy of other states to provide the means of education for all.

The poverty or loss of parents, ought not to be the means of withholding from their country, and burying in obscurity, those who might have proved its most distinguished ornaments. We trust therefore, our Legislators will consider it among their most sacred duties to adopt immediate

Poverty ought not to be a hindrance to individual advancement.

and efficacious steps for establishing public schools. They will thus be instruments of rearing a valuable band of citizens, who can never be unmindful of their liberality in placing within the reach of their exertions, whatever their talents may entitle them to.

—*Raleigh Register*, Oct. 28, 1825.

5. PROPOSED HISTORY BY JUDGE MURPHEY.

It is a fact, no doubt known to many of our readers, that for some years past, Archibald D. Murphey, Esq., of Orange County, has been engaged in collecting materials for an extensive work on N. Carolina. We have called the attention of the public to this subject now, because, through the information of a friend of Mr. Murphey, we are enabled to present something like an outline of the work. The civil and military history of the State will be divided into two parts; the first embracing our Colonial history, and the second, our history since we became a sovereign State. By way of introduction to the first part, the discovery of Columbus, together with the state of Italy in his time, and the reasons which induced men of science to adopt the belief of the existence of a continent west of Europe, &c., and the discoveries of the two Cabots, will be presented—after which follows the history of the Charters which have been granted by Royal Authority for colonizing North-Carolina, including the first charter and that granted Sir Walter Raleigh, whose expeditions, efforts to plant a colony and failure, with his character, trial, execution, &c., will be embodied in the work. The history of the Indian Tribes of Carolina, their territory, population, military force, moral and social character, &c., form the next head in the sub-division of the subject; after which the progress of the colony is considered. Under this general head, the author treats of the division of the territory—patented, into 1. Virginia—2. North-Carolina and 3. South-Carolina—Wars with the Indian Tribes—the Charter granted to the Lords Proprietors, with the history of the Proprietary Government—surrender to the Crown—history of Ld. Granville and his agents in North-Carolina—commencement of the feuds between the Church of England and the Dissenters, with the history of them during the Colonial Government. This brings the writer

Murphey to write a civil and political history of the colony and state.

Introduction to colonial history.

History of Indian tribes.

Progress of the colony to 1728.

Later colonial
history.

to the establishment of the Royal Government in the Colony, the disputes between the Governors and Colonial Assemblies, with the firm conduct of the latter—the extortion of Lord Granville's Agents, of Clerks of Courts, Sheriffs, corruption of the Judges, &c., all leading to the history of the Regulation War, as it is termed—the progress of public discontents, proceedings of the mother country, &c., withdrawal of Governor Martin—call of a Convention at Hillsborough, its acts, the Governor's proclamation, &c. &c. The subject is thus brought down to the formation of a new plan of Government, Declaration of Independence, &c. It is intended also, that the first part shall embrace a connected history of the legislation of the colony, its Judicial history, history of manners during the colonial government, and a statistical view of the State during the same period, population, revenue, &c.

History of the
Revolution in
North Carolina.

The second part, viz, our history since 1776, commences with a general view of the State of the American Colonies from 1770 to the Declaration of Independence. Causes of discontent with the mother country, and the measures adopted by the colonies, come next in order. Then follow, preparations for war, first measures of N. C. Assembly on the subject—call of Continental Congress at Philadelphia, 1775—measures recommended to the colonies—commencement of hostilities with the mother country, &c. The history of the War, as far as connected with the Work of the author, the organization of the Government in North-Carolina, and the Acts of Assembly relative to the Continental line of the State, are next given, and we are thus brought to the Treaty of Peace. The author then briefly reviews the state of Society during the struggle, the suspension of Courts of Justice, &c., &c., and in considering the history of the provision made for the troops of the Continental line, he gives in detail an account of the Certificate debt of North-Carolina, different denominations of Certificates, amount of each, plan for redemption,

&c., and a history of the paper currency of North-Carolina, different emissions, amount, plan of redemption, &c. The next subject is the progress of Society and manners after the war closed, appointment of Alfred Moore, Attorney General—General Davie—influence of these two gentlemen upon the state of manners, inspiring respect for the Courts of Justice, &c., organizing of the Courts under the new Government—political condition of the State from the close of the war to the meeting of the Federal Convention—Formation of the Federal Government—Proceedings of North-Carolina on the Federal Constitution, its adoption, &c.—History of the cession of Tennessee to the United States—Establishment of the University of North Carolina—funds set apart for it—History of this Institution, its resources, defects in its charter. The political history of the State, from the adoption of the Federal Constitution to the year 1825, is next considered.—Origin of political parties—causes why North-Carolina has not occupied her proper place in the Confederacy—History of the Legislation of the State, from 1776—Judicial History, History of Manners, &c. Finances—Internal Improvement—History of, Plans, &c. Statiscal view of the State. The work will contain also, Biography of eminent men of North-Carolina, with Portraits of them, and will be enriched with a Map of the State, and Maps of the several Counties. There are other subjects connected with our history, the details of which, though consisting of events, occurring at different periods, will probably be distinctly presented, in a connected manner—such as the history of the settlement of our Boundary, of the several religious denominations, of the Declaration of Independence by the people of Mecklenburg, in 1775, of the Cape Fear Association, and of the North-Carolina Bar.

The Geology and Mineralogy of the State, 1. Of the main ridge of mountains—2. Secondary ridges—3. Table Lands—4. Alluvial region—5. Valleys of the primary

Influence of Moore and Davie; state of society after the Revolution.

Other topics to be treated.

Geology and mineralogy.

Rivers, &c.—Elevations of each above tide water. The meteorology of North-Carolina in each of the foregoing divisions, Mean Temperature, Humidity of the Atmosphere, &c., and with the aid of men of science, the Botany of the State will also be allowed a place in the work.

Importance of the work.

We have thus given to our readers, at some length, the substance of the information which we have received, as we can not but believe it will be interesting. A history of North-Carolina has long been a desideratum among our most intelligent men, and we heartily congratulate them on the prospect of receiving one at the hands of their distinguished compeer, Mr. Murphey. Williamson's History is miserably defective, scarcely the skeleton of a history. Judge Martin, now of Louisiana, but formerly of this State, had, before he left us, collected many materials for a history of the state, which he carried with him. It

Martin's collection of materials.

is now some 15 years or more since, and we have heard nothing of his work. His supply of materials, we are informed was very good, far better than that which has been within the reach of Mr. Murphey; for Judge Martin having first undertaken the task, collected the originals of many manuscripts of which no copy was left. If Judge Martin does not intend to finish his work, it is much to be wished that his materials could be procured and placed in the hands of Mr. Murphey. It is, in our view, an object so desirable to have a good work on North-Carolina, that the attention of our Legislature would not be improperly directed to this subject.

Deserves attention of Legislature.

Analysis of work to be printed.

In addition to the above, we learn, that Mr. Murphey will probably publish during the next session of the Legislature, a pamphlet containing at length an analysis of the proposed work.

—*Raleigh Register*, Nov. 11, 1825.

6. GOV. BURTON'S MESSAGE ON EDUCATION.

If the subject just alluded to be important [internal improvements], how much more so is that of Public Education! Whilst the former regards the face of the country, and the pecuniary interests of its inhabitants; the latter is wholly solicitous about the distinguishing feature of our nature, the moral habits of man, and his "felicity both temporal and eternal." The latter derives additional claims to consideration, from the very difficulties which surround, and the time requisite to digest and mature any efficient system connected with it. But above all, it has, in comparison, one recommendation, which never fails to be felt and understood by the mass of mankind—it requires a less fund to conduct it.—A system of Internal Improvements, only requires that it should be well planned, liberally encouraged, and ably conducted, and the end is attained—success must ensue. But though the other asks nothing more, still the difference of the materials to be wrought upon, defies anything like the same conclusion. Yet surely difficulties, though they rise at every step, shall not prevent us from making some effort, from undertaking some system. If the preservation of our political principles in their original purity, be of any value—if the moral character of the people, be matter of moment—if "honest merit should have fair play" in our elections, then let us not delay, but immediately begin the important work! Whilst Public Education is unestablished, and its kindly influences are not generally felt, it is more than useless to address the great body of the people on the subject of principles. They must fully *understand*, before they can *duly appreciate* their political blessings. If nothing more can be done, at least enable them to understand and judge for themselves, when they are instructed. It but seldom occurs that the understanding is

Public education of much greater importance than internal improvements.

Difficulties in the path of carrying out plan of education.

The moral character of people and the preservation of our political principles demands the establishment of a system of public education.

Results of neglecting to educate the people.

There can be no real freedom without education.

What other states have done.

A plan of primary schools will be reported by committee.

improved and the mind enlarged, without a consequent improvement of the moral feeling. But while the people continue uninformed, your annual Assemblies may enact—your Courts of Law may arraign and punish—but your enactments will be void—your punishments be but periodical exhibitions, serving, for a moment, to frighten or amuse, yet destitute of the wholesome, the desirable influence of just examples. In such a state of things, it cannot be expected that moral worth, that intellectual attainments, and pure principles should have that weight and influence that they should command. If so, are not the people unequivocally left the mere slaves of passion and prejudice? Have they, in strictness, that free agency, which is the pride of the rational, as it is justly the boast of the truly freeman? True, indeed, it is, that the free agency of the mere animal is preserved, but that of the man is wholly lost. Surely, then, it is time that such a condition of things should be deprived of its legal sanction. The provision for Public Education is a noble feature, which stands in fine relief, in most of our State Constitutions. In most of the States too, legislative enactments have, in consequence, been made, scattering throughout their limits the invaluable treasures of Education. Yet North Carolina has, in a great degree, been deprived of the advantages which might have followed from her own constitutional provision. True, it is, we have a University, justly the pride of our State and the sources of extensive usefulness. And it is also true, that, at the last Session of the General Assembly, a resolution was adopted appointing some of our most distinguished citizens to digest and report to the present session a plan of "Primary Schools." It seems therefore unnecessary further to draw your attention to this subject, as the report will no doubt bear the stamp of the well-known and distinguished abilities which have been enlisted to prepare it.

—*House Journal, 1825-26, pp. 98 and 99.*

7. ASSEMBLY COMMITTEES ON EDUCATION.

Senate Committee on Education: Charles A. Hill, Senate committee.
Franklin; William M. Sneed, Granville; George L. Davidson, Iredell; Edmund Jones¹, Wilkes; Micajah T. Hawkins, Warren.

—*Senate Journal*, 1825-26, p. 9.

House Committee on Education: William Herbert, House committee.
Ashe; William Unthank, Guilford; John E. Lewis, Caswell; James Houze, Franklin; William A. Bozman, Washington; Benjamin Best, Duplin; Warren Alford, Rebe-
son; Nathaniel Gordon, Wilkes; James L. Hill, Iredell; Nicholas J. Drake, Nash; J. J. Brooks, Chatham; John Walton, Gates; John J. McMillan, Bladen; Henry Dockery, Richmond; Charles Edwards, Greene.

—*House Journal*, 1825-26, p. 10 .

¹Succeeded by Richard Dobbs Speight, Craven. Mr. Jones had to go home before the Legislature adjourned. *Senate Journal*, 1825-26, p. 38.

8. ASSEMBLY RESOLUTIONS ON EDUCATION.

Beaufort petition
on free schools.

Monday, Dec. 12, 1825.—Mr. Williams presented the petition¹ of sundry inhabitants of the county of Beaufort, on the subject of free schools; which was referred to the committee on Education.

—*Senate Journal, 1825-1826, p. 35.*

Inquiry about re-
port of committee
appointed by Leg-
islature of 1824.

Mr. Ashe² presented the following resolution:

“Resolved, That the committee on Education be instructed to ascertain and report to this House, as soon as possible, whether the committee appointed by the last General Assembly of this State, for the purpose of digesting a plan for the instruction of the children of the poor in the several counties in this State, intend reporting thereon or not; and, if not, that the said committee be further instructed to inquire into the expediency of reporting a bill creating a fund for, and a plan by which common schools may be established for the convenient instruction of the indigent youth in every county in this State.”

School fund and
plan of education
to be created.

On motion, ordered that the said resolution lie on the table.

—*House Journal, 1825-26, p. 135.*

¹This petition has not been found.

²Samuel P. Ashe, Cumberland.

9. EDUCATION REPORT OF 1825.

Tuesday, Dec. 13, 1825.—Received from his Excellency the Governor, by his Private Secretary, Mr. Campbell, the following communication:

To the Honorable the General Assembly of the State of North Carolina.

Gentlemen,—I have the honor herewith, to transmit the report of a committee directed by the last Legislature to prepare a plan or system of public education for the instruction of children of poor and indigent parentage.

Message on report of committee to prepare plan of primary schools.

I have the honor to be, gentlemen,

Your obedient servant,

H. G. BURTON.

December 13, 1825.

—*House Journal, 1825-26, p. 147.*

REPORT OF THE COMMITTEE APPOINTED TO PREPARE A SYSTEM OF GENERAL EDUCATION.

The undersigned, directed by a resolution of the last Legislature, to prepare a plan or System of Public Education, for the instruction of poor or indigent parentage, respectfully Report—

That although extensive plans of Public Education, supported by munificent appropriations, have been in successful operation in many of the States, for a considerable period, yet no one, that they had an opportunity of considering, seems to be adapted in its details, to the civil divisions of this State, the extent of its territory, or the scattered residence of our population. One indispensable requisite in any plan to be adopted is, that it shall be calculated to diffuse equal benefits throughout the whole of the State, and extend its salutary influence to the greatest possible proportion of the poor and indigent of every county. Other States have been enabled to avail them-

Plans of other states not adapted to North Carolina conditions.

Plan adopted should diffuse equal benefits on the greatest number of poor children.

Effect of schools on the morals and prosperity of other states.

selves of the preëxisting divisions of townships, parishes, and ecclesiastical societies, converting them into school districts, which, from the fullness of their population, they have oftener been obliged to subdivide, for the purpose of avoiding too numerous a collection of scholars for one teacher, than to combine for the sake of procuring a sufficient number. In some states, one sixth, and in others, one fourth of the entire population is receiving instruction, annually, in common schools alone; and so decided and unequivocal have been the beneficial effects, of these institutions, upon the morals and intelligence of the citizens, and the consequent prosperity of the States where they have been best sustained by public patronage, that an universal conviction has resulted, that the attention of an enlightend legislature could not be drawn to a subject more momentous in its nature, or more vitally conducive to the stability and only solid glory of a free government

Our first obstacle in establishing schools is inequality of counties in extent and population.

The first obstacle to be surmounted is that presented by the inequality of the counties, both in extent and population, as relative to each other; and, in many of the counties, the density of the population in some parts, and its thinness in others. This difficulty can only be effectually obviated by a law founded upon a local knowledge of all the counties, though it is probable that such a law might be passed upon the assumed basis of the existing districts for militia companies. Upon this branch of the subject, it is therefore respectfully submitted.

The plan proposed—districts.

1. That the whole State shall be laid off by law, into convenient school districts.

School commissioners for each county, selected by the county courts.

2. That the Justices of the Peace for each county in the State, shall, annually, and at the same Court when the Sheriff is elected, and immediately before his election, choose by ballot, a majority of the Justices being present on the bench, not less than twelve, nor more than fourteen persons, who are either Magistrates or freeholders of the county residing therein, who, when elected, shall constitute the school commissioners for that county.

3. No ballot shall be counted, unless it have written on it a number of names equal to the number of persons to be chosen at that balloting, nor shall any one be deemed elected, unless he receive a majority of all the votes given in at the balloting.

4. The person first chosen at the election of any of the said school commissioners, or if there be more than one chosen at the balloting, when a choice shall be made, the person having the highest number of votes shall be deemed chairman of the Board; and for the purpose of ascertaining this with precision, the Clerks of the County Courts shall enter on their minutes, the result of each balloting. But when the commissioners are chosen, they may, at any meeting, elect any other individual their chairman, which choice they shall certify, under their hands to the next County Court, that the Clerk of which may enter the same of record.

Chairman of the commissioners.

5. That the said school commissioners, shall in convenient time after their election, appoint not less than three freeholders, nor more than five, in every school district in their respective counties, as a school district committee, whose duty it shall be to examine instructors, displace such as are incompetent, visit the school at such times and as often as they think necessary, and require of the master such exercises as may show their progress in learning. They may also expel scholars in case of misbehaviour; and no schoolmaster displaced by them, or scholar expelled, shall be received at any other school established by this law. But the schoolmaster or scholar, may appeal from the sentence of the district committee to the school commissioners of the county whose decision on the case shall be final.

Three committeemen for each district appointed by county school commissioners.

Duties of committeemen.

6. It shall be the duty of said district committee, as soon as possible after their appointment, to convene, after ten days notice, at two public places in their respective counties, the freeholders (or free white persons) residing

People of district to select school site.

in such districts, for the purpose of selecting a convenient scite for the district school, and when the selection is made, the district committee shall certify the same to the chairman of the school commissioners.

Commissioners to
build schoolhouse
and master's house
in each district

7. When it shall be so certified to the school commissioners, they shall as soon as may be, purchase of the proprietor of the land, the number of acres prescribed by law, and thereon cause to be erected the necessary buildings for a school-house, and the master's residence, and ever thereafter keep the same in due repair; and if the commissioners and the owner of the land can not agree as to the purchase, then the commissioners may have the same condemned for the uses aforesaid, under the same rules and regulations as lands may now be condemned by law, for the purposes of Internal Improvement.

Land may be
condemned.

Teacher to be
selected by the
people of the dis-
trict.

8. That the school masters to be appointed under the act shall be elected by a plurality of the votes of the freeholders (*or free white persons*) residing within the district; but no one shall be considered duly elected, unless he have previously produced to the district committee, who are to preside at the election, a certificate from the chairman of the school commissioners, or from a majority of the board, stating that he is duly qualified to teach reading, English, and the common rules of arithmetic, viz: addition, subtraction, multiplication, division, and the rule of three or proportion; and the person producing such certificate who has the greatest number of votes shall be deemed duly elected.

Course of study.

Vacancy in office
of schoolmaster;
how filled.

9. Whenever a vacancy occurs, from any cause in the appointment of schoolmaster, it shall be the duty of the district committee to certify the same forthwith, to the chairman of the school commissioners, who shall, thereupon, direct the district committee to convene the electors of the district in the manner above required, for the purpose of appointing a successor; and the result of such election shall be immediately certified by the district com-

mittee to the school commissioners. At the end of every six months, the district committee shall give the schoolmaster, at his request, a certificate, stating how long during the last six months, he has kept open school under this act.

10. The schoolmasters shall diligently instruct the scholars, during the hours prescribed by law, in the several branches of learning above mentioned; for which they shall be respectively entitled to demand and receive from each scholar per session; and if the parent, guardian or master, liable to pay for any scholar, shall, on demand, neglect or refuse to do so, the same may be recovered by warrant before any Justice of the Peace. Every such schoolmaster shall also be entitled for the time he hath kept open school to receive semi-annually at the rate of dollars per annum, to be obtained in the following manner, viz: As soon as he has obtained from the district committee, the certificate hereinbefore mentioned, stating the time he has kept school within the then last six months, and delivered the same to the chairman of the school commissioners, it shall be the duty of the said chairman to give him an order on the County Trustee for the money appearing due on the said certificate, which order being countersigned by the clerk of the said commissioners, and presented to the County Trustee for payment, it shall be his duty instantly to pay the same; and if he shall neglect or refuse so to do, the money due thereon may be recovered by warrant before any Justice of the Peace; and on the trial of such warrant, if six months have elapsed between the assessing the tax hereinafter directed to be assessed, and the issuing of such warrant, the said Trustee shall not be permitted to allege or plead, that he has no funds in his hands from which the said money ought to be paid; but judgment shall be rendered against him, to be paid out of his own proper goods and chattels: and such trustee may immediately sue for and recover the money from the sheriffs, who ought to have collected the

Salary of the
schoolmaster.

Method of collect-
ing salary.

tax and paid the money over to him, either by warrant before any justice of the peace, or by suit against him and his securities on their bond. On the judgment obtained upon such warrant against any parent, guardian, county trustee or sheriff, no stay of execution shall be allowed. And if any such defendant shall pray an appeal from such judgment, and shall not prosecute the same, or shall not on the trial thereof diminish the original judgment, then the appellate court shall render judgment against such defendant, for the sum originally recovered, with interest at the rate of per annum until the same is paid with double costs.

11. And for the purpose of defraying the expense of the school establishment hereby proposed, it shall be the duty of the justices of each county, a majority being on the bench, immediately after electing school commissioners, and before they proceed to the election of sheriff, to borrow, or authorise to be borrowed, a sum adequate to the purchasing of all land and erecting all the buildings necessary for the said establishments within their county, at the same time assessing on the county a tax or taxes, adequate to paying the interest and per cent per annum of the principal of the sum so borrowed; the proceeds of which tax or taxes shall be pledged to the creditor or creditors, and shall not be repealed or altered until the whole debt is paid off. And for defraying the yearly expenses and accounting for the same, it shall be the duty of the chairman of the school commissioners to make out, or cause the clerk of the said commissioners to make out an account of the disbursements for the preceding year, and to return the same together with an estimate of the expenses for the ensuing year to the County Court at its session when the succeeding school commissioners are to be elected, and before the same are elected; and it shall be the duty of the justices of the said court, a majority being on the bench, immediately after making said election, and before they proceed to the elec-

Money to build houses to be borrowed and tax levied to pay the debt.

tion of sheriffs, to assess on their county a tax or taxes, the proceeds of which shall be estimated to be at least equal to meet all the expenses as aforesaid; which tax or taxes it shall be the duty of the sheriffs of the county to collect, under the same rules and regulations that he collects other taxes, and pay over the proceeds of the same to the county trustee, taking duplicate receipts therefor, and return his account with one of the said receipts to the chairman of the county school commissioners, within six months after the said tax or taxes are assessed as aforesaid, under the penalty of dollars. And the sheriff, before entering into office, shall give bond with two or more good securities, in double the sum estimated as aforesaid, payable to the chairman of the county court, and conditioned for his due performance of the duties aforesaid. And it shall be the duty of the county trustee to pay every order drawn on him by the chairman of county school commissioners, as soon as the same shall be presented, to return his account to the said chairman, and pay over to him the balance of money in his hands, if any, at least fourteen days before the sitting of the court at which said chairman is to make his return as aforesaid, under the penalty of dollars. And the said county trustee, before entering into office, shall give bond with two or more good securities, in double the sum estimated as aforesaid, payable to the chairman of the county court, and conditioned for the due performance of the duties aforesaid.

Tax to be levied to pay annual expenses of the schools.

Method of collecting school taxes.

Bond for school moneys.

12. And if the justices of any County Court shall proceed to the election of Sheriff without assessing the taxes aforesaid, then all those who are on the bench when such election of Sheriff is made, shall be liable to the sum estimated as aforesaid out of their own property; and it shall be the duty of the State's Attorney for the said county to commence suit against said justices, returnable to the then next Superior Court for any adjacent county, and said suit shall be triable and tried at the return term, before

Penalty for failure to levy school taxes.

the said court proceeds to any other business on the docket. And no evidence shall be admitted on the trial of such suit, except the records of the said County Court, or a copy thereof, showing that the defendants were on the bench of said court and did elect a sheriff without assessing the tax or taxes aforesaid, and if judgment shall pass against the defendant, the same shall be final to all intents and purposes, without being questioned or questionable in any other court whatever. And it shall be the duty of the Clerk of the Superior Court, immediately after the termination of that term, to issue and deliver, or cause to be delivered, to the sheriff of the county where the defendants reside, an execution on said judgment; and it shall be the duty of such sheriff, within days after the delivery, to levy the money due on such execution, and pay it over to the chairman of the county school commissioners, under the penalty of dollars; and the said chairman shall apply the said money towards defraying the school expenses of the said current year.

Chairman of
county school
commissioners to
supervise schools.
Powers limited.

Records of acts of
chairman to be
kept.

13. The chairman of the county school commissioners, may at any time visit any district school within his county, and make any order, rule or regulation, for the government thereof, and every order, rule or regulation so made shall be final and conclusive, unless where he dismisses a schoolmaster or expels a scholar, in which case such schoolmaster or scholar, or any one in their behalf, may take an appeal to the county school commissioners, whose decision shall be final. And the said chairman shall report every order, rule or regulation made by him as aforesaid to the clerk of the county school commissioners, and have it entered on their minutes. And if it shall be deemed necessary, on any such visitation, or at a meeting of any county school commissioners, to examine any witness on oath concerning any matter then and there under consideration, such chairman shall administer such oath, and if such witness knowingly and wilfully answers falsely to a ma-

terial question, he or she shall be guilty of perjury, and liable to all the penalties thereof.

14. Every county court may, either at the beginning or end of the year, a majority of the justices being on the bench, make some reasonable allowance to its chairman of county school commissioners. Pay of chairman.

15. The clerk of the county court shall act as clerk and keep the accounts of the county school commissioners for his county; and every sheriff shall promptly serve all notices, by the chairman of the school commissioners delivered to him to be served, but no such clerk or sheriff shall be entitled to any specific compensation for such services—but they shall be considered as part of the extra services for which county courts usually make allowances.” Clerk of county court to be clerk of school commissioners.

CONCLUSION.

The foregoing details as to the assessment and collection of a tax for the purpose of defraying the expense of the institution, have been entered into by the undersigned, under a belief, that if the Legislature should adopt that mode of raising a fund, it is of the utmost consequence to the success of the system, that the performance of the duties assigned to the justices, should be enforced by every reasonable sanction, since the neglect of those duties in any one county, would at once paralyze every movement; and enjoining the performance of a public duty at the peril of private responsibility, is but following the spirit of laws already in the statute book. The nature of the remedy assigned to the schoolmasters, arose from the presumption that they would for the most part be dependent upon their salaries, solely, for the actual means of subsistence, and that any delay in the payment of them might prove ruinous. Performance of public duty at peril of private responsibility.

If however the wisdom of the Legislature should adopt other ways and means for defraying the expenses, such as creating a permanent fund, payable out of the treasury, or setting apart for the same purpose, the Bank Stock be Other measures may be taken if taxation plan is not adopted.

longing to the Public, and its shares in the several navigation companies, some of which, it is understood, are about to become productive, then punctuality would be insured, and the above suggestions superseded. Which is respectfully submitted¹.

JOHN LOUIS TAYLOR,
P. BROWNE,
JOS. CALDWELL,
DUN. CAMERON.

Nov. 23, 1825.

Report ordered
printed by House.

In House of Commons 13th Dec. 1825. Read and ordered to be sent to the Senate with a proposition that the same with the accompanying Report be printed 4 copies for each member.

In Senate Dec. 14 1825. Referred to the Com. on Education.

—*From Unpublished Legislative Documents, 1825-26.*

House action
approved by
Senate.

Dec. 14, 1825.—Received from the House of Commons, a message from his Excellency the Governor, enclosing a report from the committee appointed by the last Legislature to prepare a plan or system of Public Education, accompanied with a proposition from that House that the same be printed, four copies for each member; which proposition was agreed to.

—*Senate Journal, 1825, p. 41.*

¹ This report is in the handwriting of Judge Taylor.

10. ATTEMPT TO RAISE SCHOOL FUND BY LOTTERY.

In Senate Dec. 15th, 1825. Read the first time and passed and motion of Mr. Sneed referred to the Com. on Education. (Clerk's entries on lottery bill.)

In Senate Dec. 22d, 1825. Reported without amendment and the Bill made the order of the day for tomorrow¹.

In Senate Dec. 23d, 1825. Read the second time and passed.

In Senate Dec. 24th, 1825. Committed on motion of Mr. Speight of Greene to a Com. of the whole house, to whom was referred the Bill for the promotion of Education and made the order of the day for Monday next².

In Senate Dec. 26th, 1825, reported by the Com. and on motion of Mr. Sneed was ordered to be laid on the Table.

In Senate Dec. 30th 1825. On motion of Mr. Hill of Franklin, the Bill was indefinitely postponed. (See Senate Journal 1825-26, p. 80.)

A BILL TO AID IN THE ESTABLISHMENT OF A FUND FOR THE SUPPORT OF SCHOOLS FOR THE CONVENIENT INSTRUCTION OF YOUTH, ETC.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Governor of this State shall be empowered and is hereby directed to contract for the vending of Lottery schemes and Tickets therein, and drawing the same on the sole responsibility of the contractors without liability for the management of said Lotteries, or payment of the prizes on the part of the State; and that such con-

(Governor empowered to contract for vending a lottery.)

¹ The report was made by Charles A. Hill, of Franklin, on Dec. 22, 1825. See Senate Journal, 1825-26, p. 57.

² See Senate Journal, 1825-26, p. 65. Jesse Speight, Greene county.

tracts may be made for a specific sum for such scheme or a given amount as the Governor for the time being shall deem prudent.

Profits to go to the common school fund.

And be it further enacted, That the amount of money, which shall from time to time be so raised, and agreed to be paid by such contract shall be paid over by the contractor or contractors to the Treasurer of this State; by whom the same shall be invested in some safe and productive manner, and to constitute with such other additions as may be made by future legislative provision a permanent fund for the purpose of diffusing the benefits of a common school education to be called "The common school fund of North Carolina."

And whereas many Lottery grants for the purpose of aiding sundry academies in this State have been at different times, made by the Legislature, most of which are without limitation of time and are therefore vested in the grantees; therefore,

Arrangements with academies authorized to raise money by lottery.

Be it enacted by the General Assembly of the State aforesaid, and it is hereby enacted by the authority of the Same, That the Governor be authorized to make arrangements with the holders of such grants who may make application within two years after the ratification of this act, by which they shall be entitled to receive such proportion of the whole amount of money raised by said lotteries (after deducting one-fourth part to be paid into the Treasury, in pursuance of this act) in the rate of the amount of each grant, except such as are already under contract which are first to be completed.

And be it further enacted that in making contracts under this act, privilege may be given to the contractors to combine the Lotteries of this State with those of any other State or States¹.

¹This bill was introduced in the Senate, Thursday, Dec. 15, 1925, by William M. Sneed, of Granville. See Senate Journal, 1825-26, p. 43.

11. THE LITERARY FUND LAW.

Thursday, December 22, 1825.—Mr. Hill¹, of Franklin, from the Committee on Education, reported a bill to create a fund for the establishment of Common Schools, and for the support thereof; which was read the first time, and, on motion of Mr. Seawell², ordered that the bill be printed; and it was further ordered, on motion of Mr. Boykin³, that the same be committed to a committee of the Whole House, and made the order of the day for Monday next.

Introduction of
school fund bill in
Senate.

—*Senate Journal*, 1825-26, pp. 58-59.

Monday, Dec. 26, 1825.—The Senate resolved itself into a committee of the whole House, Mr. Pickett⁴ in the chair, to take into consideration the bill to create a fund for the establishment and support of schools for the convenient instruction of Youth; and, after some time spent therein, the committee rose, the Speaker resumed the Chair, and Mr. Pickett, the Chairman, reported the first mentioned bill with an amendment; which was agreed to by the Senate, and the said bill was read the second time and passed. Mr. Pickett, from the committee of the Whole House, then reported the bill to aid in the establishment of a fund for the support of schools for the convenient instruction of youth, etc., without amendment; which, on motion of Mr. Sneed, was ordered to be laid on the table.

Bill considered in
committee of the
whole.

—*Senate Journal*, 1825-26, p. 67.

Tuesday, Dec. 27, 1825.—The bill to create a fund for the establishment of common schools was read the third time and ordered to be engrossed.

Third reading in
Senate.

—*Senate Journal*, 1825-26, p. 69.

¹ Charles A Hill, Franklin.

² Henry Seawell, Wake.

³ Thomas Boykin, Sampson.

⁴ Joseph Pickett, Anson.

Bill passes House
without division.

Tuesday, Jan. 3, 1826.—The engrossed bill to create a fund for the establishment of common schools was read the second and third times, amended, and passed. Ordered that the said bill be sent to the Senate, with a message, asking the concurrence of that House with said amendment.¹

—*House Journal*, 1825-26, p. 206.

Senate agrees to
House amend-
ment.

Wednesday, Jan. 4, 1826.—Received a message from the House of Commons stating that they have passed the engrossed bill to create a fund for the establishment of common schools, with an amendment, to strike out the last section of the bill; in which they ask the concurrence of the Senate. Which amendment was agreed to, and the bill was ordered to be enrolled.

—*Senate Journal*, 1825-26, p. 90.

AN ACT TO CREATE A FUND FOR THE ESTABLISHMENT OF COMMON SCHOOLS.

Funds set aside
for education.

I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that a fund for the support of Common and convenient Schools for the instruction of youth, in the several Counties of this State, be, and the same are hereby appropriated, consisting of the dividends arising from the stock now held, and which may hereafter be acquired by the State in the Banks of Newbern and Cape Fear, and which have not heretofore been pledged and set apart for internal improvements; the dividends arising from stock which is owned by the State in the Cape Fear Navigation Company, the Roanoke Navigation Company, and the Clubfoot and Harlow Creek Canal Company; the tax imposed by law on licenses to the retailers of spirituous

¹This bill was passed without division in the House. The bill created no division in the Senate.

liquors and auctioneers; the unexpended balance of the Agricultural Fund, which by the Act of the Legislature, is directed to be paid into the public Treasury; all monies paid to the State for the entries of vacant lands, (except the Cherokee lands;) the sum of twenty-one thousand and ninety dollars, which was paid by this State to certain Cherokee Indians, for reservations to lands secured by them by treaty, when the said sums shall be received from the United States by this State; and of all the vacant and unappropriated swamp lands in this State, together with such sums of money as the Legislature may hereafter find it convenient to appropriate from time to time.

II. Be it further enacted, That all the sums of money which have accrued since the first day of November last, or which may hereafter accrue as aforesaid, shall be, and the same is hereby vested in the Governor of the State, the Chief Justice of the Supreme Court, the Speaker of the Senate, the Speaker of the House of Commons, and the Treasurer of the State, for the time being; and they and their successors in office are hereby constituted a body corporate and politic, under the name of the President and Directors of the Literary Fund, with power to sue and be sued, plead and be impleaded, and to hold real and personal property, and to sell, dispose of and improve the same, to effect the purposes of promoting learning, and the instruction of youth. The Governor shall be President of the Board, and any three of the Directors shall constitute a quorum for the transaction of business relative to the said fund; and, in the absence of the Governor, they shall have authority to appoint a President for the time of such absence. They shall cause to be kept by the Treasurer of the State a regular account of all such sums of money as may belong to the said fund, the manner in which the same has been applied and vested, and they shall make an annual report thereof to the Legislature, with such recommendations for the improvement of the same, as to them shall seem expedient.

President and directors of the literary fund created and given charge of the school fund.

Investment of
funds in certain
securities.

III. Be it further enacted, That the President and Directors of the Literary fund hereby created are authorized to vest any part or whole of the said fund, in the Stock of any of the Banks of this State, or of the United States and at all times to change, alter and dispose of the same, and of any real and personal estate belonging to the said fund, in such manner and upon such terms, as may in their opinion be best calculated to improve the value thereof.

Application of
funds to the
education of youth
in the several
counties in propor-
tion to free white
population.

IV. Be it further enacted, that the fund hereby created shall be applied to the instruction of such children as it may hereafter be deemed expedient by the Legislature to instruct in the common principles of reading, writing and arithmetic; and whenever, in the opinion of the Legislature, the said fund shall have sufficiently accumulated, the proceeds thereof shall be divided among the several Counties, in proportion to the free white population of each, to be managed and applied in such way as the Legislature shall hereafter authorize and direct.

—*Laws of 1825-26, Chapter I.*

12. MEMORIAL OF ORANGE SUNDAY SCHOOL UNION.

In House of Commons 14-Dec-1825, read and referred to Com. on Education.¹ Clerk's entry on the memorial.

—*House Journal*, 1825, p. 148.

To the Honourable, the General Assembly of the State of North Carolina, convened in the City of Raleigh—The memorial of sundry citizens of the County of Orange, composing the officers of the Sunday School Union of said County and other citizens of the same.

The undersigned, feeling a deep interest in the youth of our State, and more especially of the children of the indigent and ignorant, beg leave to present to your honorable body the subject of Sunday Schools, as an object of Legislative aid, and particularly to solicit such aid as in your wisdom may be deemed best, to support and extend the Schools under the care of the Sunday School Union of our County. In doing this, they feel it their duty to present to your honorable body, a brief view of the origin, design, and effect of these benevolent institutions, that you may be the better prepared to pass upon the merits of their petition. Asks aid for Sunday Schools of Orange county.

Sunday Schools owe their origin to the active benevolence of an English Gentleman named Robert Raikes, who passing through the streets of one of their populous towns, on the Sabbath Day, and beholding many children engaged in idle play, whom he found on enquiry unable to read, proposed to have them instructed on the Sabbath gratuitously if they would attend. Such is the origin of these benevolent institutions, which experience has shown to have the most salutary influence on the youth of all countries where they have been introduced. Origin of Sunday Schools.

¹ This memorial was presented by John Scott, of Hillsborough.

Object of their establishment.

The design of Sunday Schools is to instruct the young and ignorant children of the indigent, and others indiscriminately, in reading and spelling, in sound morals and in the first principles of natural and revealed religion. The instructors are persons of tried integrity and experience; and the whole course of instruction tends to the improvement of the moral character of the young. The labors of the Teachers and officers are entirely gratuitous.

Countries having Sunday Schools in 1822.

Sunday Schools were in successful operation as early as 1822, in Great Britain, Ireland, France, Holland, India, Ceylon; in the South Sea Islands, West Africa, South Africa, New Foundland, the West Indies, and our own happy country.—In Ireland by the report of the Sunday School Society in 1822, there were 1538 schools—173,384 learners and 10,370 gratuitous teachers.

Schools in Ireland.

Of the effects of Sunday Schools in Ireland, a gentleman engaged in their benevolent operations thus testifies: "There have been 150,000 children and 7,000 adults in the schools of the Hibernian Society since the commencement, and I have never heard of one scholar who has been educated by us, being arraigned for any crime."

In Great Britain.

In Great Britain, in 1822, there were 5,637 schools. 50,375 teachers, and 656,542 learners. Since that period the number has greatly increased, and the effects are daily becoming more sensibly beneficial.

Sunday Schools in Orange county have taught many children to read.

In our own Country these institutions have an existence in almost every State in the Union, and have been invariably attended with marked advantage to the young. The Sunday School Society of Orange County has under its care 22 Schools in which are instructed from 800 to 1,000 children, many of whom,—the children of the poor, who would otherwise have been brought up in utter ignorance and vice, have been taught to read and trained to habits of moral reflection and conduct. The schools have been heretofore supplied with books for the most part by the charity of the public, and it is to furnish the necessary

books, that your memorialists pray for such aid, as that the sum of 25 cts. per annum may be paid for every Sunday School learner under their care, out of the public taxes, in such manner and to such person for their use, as in your wisdom you may deem best. And your memorialists would further pray a similar provision for all the Sunday Schools formed, or which may be formed within the limits of our County and throughout our State.

J. WEBB, President.

WILLIAM KIRKLAND, 1st Vice-President.

WM. NORWOOD, 2nd Vice-President.

F. NASH, 3rd Vice-President.

JOHN KIRKLAND, Treasurer.

J. W. NORWOOD, Recording Secretary.

J. WITHERSPOON, Corresponding Secretary.

DENNIS HEARTT,

WM. HUNTINGTON,

J. G. BACON,

ELAM ALEXANDER,

WM. BINGHAM,

Managers.

The memorial is also signed by 28 other citizens of Orange County.

—*Unpublished Legislative Documents, 1825.*

The Committee to whom was referred the memorial of sundry citizens of the County of Orange, composing the officers of the Sunday School Union of said County, and other citizens of the same under their consideration report:

Report of committee on memorial.

That it is inexpedient to grant the prayer of the petitioners and therefore recommend its rejection.

N. J. DRAKE, Chm.

In the House of Commons 22-Dec-1825, read and concurred with.

Clerk's entry on report.

—*House Journal, 1825, p. 170.*

13. LOTTERY FOR PUBLICATION OF NORTH CAROLINA HISTORY.

An Act to encourage the publication of a Historical and Scientific Work on this State.

Desirability of publication of the history.

Whereas, It is represented to this General Assembly by Archibald D. Murphey, of the county of Orange, that he hath been for several years engaged in collecting and arranging materials for an extensive and historical and scientific work on this State, and that the completion of said work requires the aid of the General Assembly; and whereas the publication of such a work is much desired, and would be useful and creditable to the State;

\$15,000 authorized to be raised by lottery.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the said Archibald D. Murphey be, and is hereby authorised to raise by way of Lottery from time to time, the sum of fifteen thousand dollars, for the prosecution and completion of said work.

Access to records by author.

II. And be it further enacted, That the said Archibald D. Murphey have liberty to examine the public records in the Executive office, and in the Offices of the Secretary of State and Comptroller, and also the files of the Senate, and of the House of Commons of the General Assembly, and to make therefrom such extracts as he may think proper.

Three drawings only.

III. And be it further enacted by the authority aforesaid, That it shall not be lawful under any pretence whatever, to have more than three classes of drawings of the said Lottery, for the purpose of raising the sum required by this act.

Read three times and ratified in General Assembly, 4th of January, 1826.

JOHN STANLEY, S. H. C.
B. YANCEY, S. S.

—*Laws 1825-26, Chap. XXXV.*

14. ATTEMPTED LEGISLATION.

TO PREVENT EDUCATION OF SLAVES.—House Journal, Tuesday, December 27, 1825: Mr. Stedman (Wm. W. Stedman, of Gates) presented a bill to prevent persons from educating slaves. The said bill was read the first time, and, on motion, rejected.

—*House Journal, 1825, p. 183.*

TO INCORPORATE TRUSTEES OF OXFORD PRESBYTERIAN CHURCH.—House Journal, Friday, Dec. 23, 1825: Mr. (John) Glasgow (Granville) presented a bill to incorporate the trustees of the Presbyterian Church in Oxford. The said bill was read the first time and rejected.¹

—*House Journal, 1825, p. 174.*

¹ This and similar bills were rejected on constitutional grounds. It was claimed the passage of such bills would be a union of Church and State.

15. LOTTERIES FOR ACADEMIES REFUSED.¹

A Bill for the relief of the Trustees of the Williamsborough Academy.

\$10,000 authorized. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Trustees of the Williamsborough Academy be and they are hereby authorized to raise by one or more lotteries the sum of Ten Thousand Dollars.

Entries on bill. In Senate Dec. 22, 1825: Read the first time and passed.

In Senate Dec. 23, 1825: Read the 2nd time and ordered that the Bill do not pass.

A Bill to change the corporate name of the "Trustees of the Richmond Academy," and to authorize said trustees to raise ten thousand dollars by way of Lottery.

Name changed. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the corporate name of "The Trustees of the Richmond Academy" be so altered that said Trustees be hereafter styled "Trustees of the Richmond Euphradian Academy."

\$10,000 authorized. And be it further enacted, That said Trustees may, by one or more lotteries, raise a sum not exceeding ten thousand dollars, for the benefit of this Institution.

Entries on bill. In Senate Dec. 17, 1825: Read the first time and passed.

In Senate Dec. 19, 1825: Read and ordered to lie on the table.

In Senate Dec. 23, 1825: Read the second time and ordered that the same do not pass.

¹The refusal to pass these bills was justified by Charles A. Hill and others on moral grounds. The debate on the subject of lotteries is omitted here, as it is given at another place.

THE PETITION OF THE FRANKLIN LIBRARY
SOCIETY:

To the Honorable the General Assembly of the State of
North Carolina:

The Franklin Library Society established in the Town of Hillsborough on the seventh (7) day of February, Anno Domino, one thousand eight hundred and twenty-two, and incorporated by the General Assembly on the 25th of December following, for the promotion of learning and cultivation of virtue, has since its organization been productive of much usefulness, and patronized in a small degree by many of the friends of Literature; but the funds of the institution prove insufficient to enable it to be productive to that extent of usefulness which it otherwise might be. Thankful as we are for the patronage we have already received from the General Assembly, and believing as we do, that your Honorable Body are even willing to patronize institutions having for their end, objects so laudable in their nature, in endeavouring to inculcate in the human mind, those principles which are requisite, and necessary to be possessed by the citizens of a free Government,—pray that they may be allowed to raise, by lottery, a sum not exceeding three thousand dollars, under the direction of such managers as they may appoint; which sum shall be appropriated in the purchase of useful books, to add to the Library of the Institution and for other necessary purposes.

History and purposes.

Asked to raise \$3,000.

Signed by order of the Society, by the officers thereof on the 14th day December, Anno Domino one thousand eight hundred and twenty-five.

NATHANIEL JONES PALMER, Pres.

RICHARD S. CLINTON, Vice-Pres.

JOS. WOOD, Secretary.

CHARLES L. COOLEY, Treasurer.

Officers.

THOS. C. PALMER, Librarian.

ROBERT WYNNE, Attorney.

In House of Commons Dec. 23, 1825: Read and indefinitely postponed. Rejected.

1826

- 1. COMMENT ON SCHOOL LAW OF 1825,**
- 2. MANUMISSION, BY RALEIGH REGISTER.**
- 3. GOV. BURTON'S MESSAGE ON EDUCATION.**
- 4. ASSEMBLY COMMITTEES ON EDUCATION.**
- 5. PROPOSED LOTTERY FOR PUBLIC SCHOOLS.**
- 6. LOTTERY FOR INCREASE LITERARY FUND AND PUBLICA-
TION OF NORTH CAROLINA HISTORY.**
- 7. POTTER'S POLITICAL COLLEGE BILL.**
- 8. POTTER'S SPEECH ON HIS POLITICAL COLLEGE BILL.**
- 9. DISCUSSION OF THE MORALITY OF LOTTERIES.**
- 10. FAILURE OF BILL TO ENCOURAGE SUNDAY SCHOOLS.**
- 11. FAILURE OF ATTEMPT TO INCREASE LITERARY FUND.**
- 12. FAILURE STATISTICAL INFORMATION BILL.**
- 13. FAILURE OF BILL TO PROHIBIT TEACHING COLORED AP-
PRENTICES.**
- 14. ORGANIZATION OF LITERARY BOARD.**
- 15. FIRST REPORT OF LITERARY BOARD TO LEGISLATURE
1826-27.**
- 16. LOTTERIES FOR ACADEMIES REFUSED.**

1. COMMENT ON SCHOOL LAW OF 1825.

Our Legislature adjourned on Wednesday last, after a session of 45 days, in which were passed 36 acts of a general nature, and 115 for local objects.

Perhaps the most important act of the session is that providing a fund for the establishing Common Schools throughout the State, in compliance with the injunction of our Constitution, which provides, "that a School or Schools shall be established by the Legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices." And though the funds at present provided may not be sufficient completely to accomplish this object. they will enable a future Legislature to commence the operations of the plan. Owing to the thinness of our population, in some parts of the State, a School cannot be conveniently carried to every man's door, yet, Schools may be formed in every neighborhood where the population is sufficient to make one desirable, and by this means the benefits of a common English education will be spread, by degrees, throughout the community, the requirements of our constitution at length complied with, and the surest means will have been provided for the security of a continuance of the blessings of our free and excellent Republican Government.

The fund appropriated to the above object, is to be under the control of the Governor, the Chief Justice of the Supreme Court, the Speakers of the Senate and House of Commons, and the Treasurer; and they are to be a corporate body, and to be styled "The President and Directors of the Literary Fund."

This act is of such an interesting nature, that we shall procure a copy for publication in our next paper.

—*Raleigh Register, Jan. 6, 1826.*

2. MANUMISSION, BY RALEIGH REGISTER.

Friends resolve
to free slaves.

MANUMISSION.—At the annual meeting of the Society of Friends in this State, held last Fall, that respectable body came to the resolution of manumitting and removing all the coloured people held by them, that were willing to leave the country; and since that time they have been concerting measures for carrying their intentions into effect, and in consulting the wishes of the coloured people themselves in relation to their future destination, which has resulted in the following arrangement: 120 of the number are desirous of going to Hayti; 316 to Liberia; and about 100 wish to be sent to the non-slave-holding States of Ohio or Indiana—which we believe embrace the whole of the population of this description held by this Society, except a few who have formed family connections which they are unwilling by removal to dissolve, and where the husband or wife is held by persons from whom they cannot be purchased.

Number set free;
where sent.

Those sent to
Hayti embark at
Beaufort.

We obtained this information from our friend Dr. Geo. Swaine, of Guilford county (as he passed through this city, a few days ago) who is deputed by his Society to attend to the embarkation, and to supply the wants of that part of this population who have made choice of Hayti for their future home. They will sail from our port of Beaufort, a few days hence, on board a vessel which has been engaged for the purpose, owned by Mr. Henry Cooke, of that place, and commanded by Capt. Thompson.

Those sent to
other places.

The 316 of this population who have chosen to go to Liberia, and the 100 who wish to be removed to Ohio or Indiana, will also be sent there at the expense of the Society of Friends; the former, by one of the first vessels to the African Settlement; and the latter, by means of wagons, which will be engaged to convey them and the little property of which they may be possessed.

Besides the above mentioned coloured people, we learn, Others deported. that this Society have already sent off 64 persons to the State of Ohio, 47 by the Indian Chief, which lately sailed from Norfolk to Liberia, and 11 by another vessel which sailed about the same time to Africa.

It ought also to be mentioned to the credit of this Soci- Funds raised. ety that it contributed 800 dollars to the funds of the African Colonization Society soon after its establishment.

—*Raleigh Register*, May 30, 1826.

8. GOV. BURTON'S MESSAGE ON EDUCATION.

Virtue and intelligence necessary to the existence of free government and individual happiness.

The constitution enjoins the establishment of schools.

For forty-nine years no primary schools have been established.

Primary education harder to obtain now than in 1776.

Believing it universally admitted, that the existence of free governments depends upon the virtue and intelligence of the great body of the people; and that these are also the sources of individual comfort and happiness, I shall not consume your time in repeating arguments so often adduced, to shew the necessity of diffusing the benefits of education among the poorer class of our fellow citizens. But, permit me to call your attention to a clause in our State Constitution, which enforces the obligation, of giving to this subject your serious consideration. It is this: "A school or schools shall be established by the Legislature of this State, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices. All useful learning shall be duly encouraged and promoted in one or more Universities." The latter branch of this constitutional injunction has long since been complied with, by your predecessors. We have a University in a prosperous condition, with competent funds. But, as to the former, and a no less important branch, concerning schools,—it is to be lamented that from the formation of the constitution until the last session of the General Assembly, (a period of forty-nine years) nothing whatever has been done. The last Legislature commenced the important work; but if that beginning is not well sustained and pursued, the present generation may pass away, before anything effectual is accomplished. Many enlightened persons believe, that it is more difficult for an individual in ordinary circumstances to obtain for his child at this time, the common rudiments of education, than it was at the period when our Constitution was adopted. This increased difficulty originates, in part, from the increased demand which the exigencies of government have made upon the resources of individuals and the enhancement of the necessaries of subsistence.

It appears, therefore, peculiarly just and proper, that the State should contribute somewhat to the diminution of that burden, which, in part, it has created. And while it exacts and expects obedience from the citizens to its laws and institutions, it should give them the opportunity to appreciate their privileges and improve their condition. The least reflection will satisfy us, that reading, writing, and the common rules of arithmetic are highly essential to the healthy action of our government, founded, as it is, upon the supremacy, and executed by the agency of the people: and they unquestionably contribute more largely to the individual benefit and morality of the body of people, than the branches of severe science usually taught in our established seminaries. Whilst upon this subject, I beg leave to remark, that the Constitution itself in the section before recited, has not only imposed the obligation, but has also suggested an important means for the execution of the injunction.

The morality of the masses largely aided by the primary school studies.

—*House Journal, 1826, p. 114.*

4. ASSEMBLY COMMITTEES ON EDUCATION.

Senate committee
on education.

Senate Committee on Education:—James J. McKay, Bladen; William M. Sneed, Granville; Charles A. Hill. Franklin; Francis T. Leak, Richmond; John Joyner, Pitt.

—*Senate Journal, 1826-27, p. 9.*

House committee
on education.

House Committee on Education:—James R. Love, Haywood; James Blevins, Ashe; John Scott, Hillsborough; John E. Lewis, Caswell; Robert Potter, Halifax (town); A. A. Wyche, Halifax; James Iredell, Edenton; Joseph D. White, Bertie; Enoch Foy, Jones; Marshall Dickerson. Pitt; John T. Gilmour, Bladen; Alfred Moore, Brunswick; John M. Morehead, Guilford; A. H. Shepperd, Stokes; Archibald McNair, Richmond; Shadrack Howell. Robeson.

—*House Journal, 1826-27, p. 121.*

5. PROPOSED LOTTERY FOR PUBLIC SCHOOLS.

Resolved, That the Committee on Education be instructed to enquire into the expediency of raising by lottery the sum of six hundred and thirty thousand dollars, to be distributed by allotting ten thousand dollars, to each county in this State, for the purpose of establishing public schools¹.

Proposed lottery
to raise school
funds.

Which resolution was agreed to.

—*Senate Journal, 1826-27, p. 21.*

¹Introduced by Henry Seawell, of Wake.

6. LOTTERY FOR INCREASE LITERARY FUND AND PUBLICATION OF NORTH CAROLINA HISTORY.

An act to authorise the President and Directors of the Literary Fund to raise money by way of lottery, and for other purposes.

Directors of literary fund to raise \$50,000 by lottery; \$25,000 to aid publication of North Carolina history.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the President and Directors of the Literary Fund be, and they are hereby authorized to raise, by way of lottery fifty thousand dollars; of which a sum not exceeding twenty-five thousand dollars shall be applied by them toward aiding Archibald D. Murphey, of Orange County, in collecting material for, and publishing the history of North Carolina: But before the said money shall be advanced to him, he shall enter into bond to the Governor, and his successors in office, in the sum of twenty thousand dollars, conditioned that if he shall die before the publication of the aforesaid, his executors or administrators shall, within one year after his decease, file in the Secretary's office, for the use of the State, all papers, documents, records, pamphlets, and other materials, which he hath collected, or shall collect for said history, including his manuscript of said history.

\$25,000 to be devoted to literary fund.

II. Be it further enacted, That the residue of the money authorised to be raised by this act, shall constitute and form a part of the Literary Fund; and the President and Directors of said Fund are authorised to sell, upon such terms as they, or a majority of them, may deem expedient, to one or more persons, the privilege of raising, by lottery, the money aforesaid.

Murphey to relinquish privilege of former act.

III. Be it further enacted, That no part of the said twenty five thousand dollars shall be paid to said Archibald D. Murphey, until he shall relinquish all right or claim to the privileges granted to him by an act, passed at the last session of the General Assembly, entitled "An act to encourage the publication of a historical and scientific

work on this State;" And that said twenty five thousand dollars, or so much thereof as the President and Directors of the Literary Fund may, in their discretion, think he will be entitled to, shall be advanced only as the work progresses.¹

—*Laws 1826-27, chap. XVI.*

¹Introduced in the House of Commons, January 17, 1827, by John Scott, of Hillsborough. See House Journal, 1826-27, p. 167.

7. POTTER'S POLITICAL COLLEGE BILL.¹

Clerk's entry on
Potter's bill.

In H. Commons 22d. Jan. 1827. Read the first time and passed and ordered to be printed and referred to Com. on Education.

—*See House Journal, 1826-27, p. 176.*

A BILL TO ESTABLISH A POLITICAL COLLEGE FOR THE STATE OF NORTH CAROLINA.

The rector and vis-
itors of the politi-
cal college of
North Carolina.

I. Be it enacted by the General Assembly of the State of North Carolina, That a Rector and fifteen Visitors to be chosen as shall hereinafter be directed, be incorporated under the name and title of "The Rector and Visitors of the Political College of North Carolina."

Rector and visitors
made a corpora-
tion.

II. That in that style and capacity they shall have the power to sue and be sued; plead and be impleaded; have and use a common seal, acquire, hold, and transfer property of every description whatever; and do all other matters and things which may be necessary and proper to the ends of their creation and which appertain generally to corporate bodies.

Visitors chosen by
assembly.

III. That the visitors shall be chosen by a joint ballot of both houses of the legislature, and hold their appointments during the pleasure of a majority of the members of the same, subject to removal by them at any time without notice and without impeachment.

Speakers of assem-
bly to notify per-
sons chosen.

IV. That when so elected it shall be the duty of the speakers of the two houses of the General Assembly, to make out and transmit to them joint official letters of appointment, whereupon it shall be the duty of the persons so appointed to assemble at such time and place, as shall be deemed most expedient by the Governor, they being duly apprised by him of his designation of the same.

¹Robert Potter, Halifax borough.

V. That when thus assembled they shall proceed to organize a system of discipline and instruction for the institution over which they are to preside; and they are hereby invested with full power of Legislation, in all matters relating to the same conformably to the provisions of this charter.

Visitors to organize
Institution.

VI. They shall, at their first meeting, proceed to elect a Rector, the term and tenure of whose office, shall be the same with that of the visitors, but whenever a vacancy shall occur in the office of Rector, by resignation, death, or otherwise, it shall be filled by the Visitors, a majority of the votes of whom shall at all times be necessary to the appointment of a Rector and whenever a vacancy shall occur in the appointment of a Visitor during the recess of the Legislature, it shall be filled by a temporary commission from the Governor, to expire at the close of the next preceding session of the General Assembly.

Visitors to choose a
rector.

VII. That the Rector and Visitors when thus constituted shall after their first meeting under this charter, set upon their own adjournments, and regulate the mode of their proceedings, and that four Visitors and the Rector, or seven Visitors alone, shall constitute a quorum to transact business; that in the deliberations of the Rector and Visitors, all questions shall be decided by the votes of a majority of the visitors, unless where the vote of the Rector if given to the minority would make the division equal, and then the question shall be lost; that the Rector shall preside over the deliberations and proceedings of the visitors, and whenever an extraordinary meeting of the Visitors is deemed necessary, shall have power to summon them together.

Rules and regula-
tions.

VIII. That the Rector and Visitors are hereby required to purchase in due season, a tract of land in the County of Wake, which together with the fixtures, furniture, stock necessary for the purposes of the institution, shall cost and be worth, when the arrangements are completed, twenty thousand dollars; that on this land a farm

School in Wake;
land and equip-
ment to cost
\$20,000; farm for
support of college.

shall be established for the instruction and support of the members of the College, and provided with suitable buildings for their accommodation; that the apartments intended for the officers and apprentices of the College shall be constructed at the discretion of the Rector and visitors, a strict and rigid regard being had to plainness and economy.

Officers of the college.

IX. But the officers of the college shall consist of a President and four Professors, to be chosen by a majority of the Visitors and hold their appointments during the pleasure of the same; and whenever the President or either of the Professors shall from any cause whatever vacate their appointments, a successor shall be designated by a majority of the Visitors.

Four professors and their titles.

X. That the Professors shall be a Professor of Agriculture; a Professor of the art of War; a Professor of Political Economy; and a Professor of Morality, whose several duties and the time and order of performing them, shall be prescribed by the Rector and the Visitors.

Students from each county.

XI. That the apprentices shall consist of such a portion and such a class of the youth of North Carolina, as the Legislature shall from time to time deem fit, to be selected in just proportions from the several counties in the State, in reference to the amount of taxes paid by said counties respectively into the Public Treasury; and that until otherwise ordered, the County of Anson shall be entitled to send two; the county of Ashe one; Brunswick, one; Camden, one; Buncombe, one; Beaufort, one; Burke, one; Bladen, one; Bertie, two; Craven, two; Carteret, one; Currituck, one; Caswell, two; Chowan, one; Chatham, two; Cumberland, four; Columbus, one; Cabarus, one; Duplin, one; Davidson, two; Edgecombe, four; Franklin, two; Guilford, two; Gates, one; Granville, four; Greene, one; Halifax, four; Hertford, one; Hyde, one; Haywood, one; Iredell, one; Jones, one; Johnson, two; Lincoln, two; Lenoir, one; Moore, one; Montgomery, one; Mecklinburg, two; Martin, one; New Hanover, four; Nash, one; North-

ampton, four; Onslow, one; Orange, four; Person, one; Pasquotank, one; Pitt, two; Perquimans, one; Rowan, two; Randolph, one; Rockingham, two; Robeson, one; Richmond, one; Rutherford, two; Sampson, one Surry, one; Stokes, two; Tyrrell, one; Washington, one; Wilkes, one; Wake, four; Warren, two; and Wayne, two, to be selected and chosen in the following manner, to wit: The several County Courts of the State, a majority of the justices being present, are hereby authorized and required at the first of their sessions, which shall be holden after they are apprized of the passage of this act, to appoint one Justice of the Peace, and two free holders, for each of the Militia Captains' Districts, within their Counties respectively; and

XII. That it shall be the duty of the trustees and freeholders so appointed to register immediately, the name of every youth within the district assigned them, who shall be within six months of the age of fifteen years, either in anticipation or advance, and the estate of whose father, shall not exceed in value, a thousand dollars; or in the case of orphans, the estate left by whose father, and then actually existing, shall not exceed in value the sum of a thousand dollars.

Method of appointment; no one to be a student whose father's estate is worth over \$1,000.

XIII. That the several Registries when thus made out, shall, by the Justice and freeholders of the District, respectively making out the same, be returned to a General Assembly of the Justices of their respective counties; and the Justices of the several county Courts of the State, are hereby authorized and required, at the term at which they shall appoint the Justice and freeholders of the District before mentioned, to agree among themselves a day or days on which they shall assemble at the Court House of their respective Counties, to receive and decide upon the return of the Justices and freeholders of the Districts.

XIV. That in all cases where a question shall arise under the twelfth section of the act relative to age or estate, it shall be first decided by the Justices and free-

Disputes about appointments to be settled by general assembly of justices of the peace.

holders as aforesaid, before whom it shall occur, upon such evidence and such views of the case, as they may deem just and conformable to the requisitions of the said section; but if any one should be dissatisfied with their decisions, they may state the question to the trustees of the county within which it may have arisen, at their General Assembly to which the District Justice and freeholders aforesaid are required to make their returns; and the said Justices at their said General Assembly, are hereby authorized and empowered ultimately and finally to determine, in their discretion all such questions. Provided that when the Justices of the said General Assembly shall be equally divided upon a question, the decision of the District Justices and freeholders shall abide.

County visitor to
examine those
appointed.

XV. That the Justices of the General Assemblies aforesaid, when they have compared and examined returns of the several district Justices and freeholders, and in their discretion revised, altered, or confirmed the same (all which they are hereby authorized and empowered to do) shall communicate with the Visitor appointed for their County, and agree with him upon a day or days, when he shall visit them and examine the youths registered as before required, in order to select from them an apprentice or apprentices as the case may be, for the Political College.

Other details of the
examination and
appointment of
students.

XVI. That at the time thus agreed upon, by the General Assemblies of the Justices of the several Counties, and the visitors thereof, the Justices shall again convene in General Assembly, at their respective court houses and cause the youths of the several districts of their respective Counties registered as before required to be assembled there, that they shall then be introduced to the Visitor, commissioned for that purpose, who shall in such mode as he shall deem most fit and proper, scrutinize and examine them, and in his discretion select from among them such a number as the County may by the provisions of the

Act be entitled to send to the Political College; that where among the registered youths of any county, there shall be a number greater than that which said County may be entitled to send to the Political College, who in the estimation of the visitor are equally gifted, and promise to be equally useful to the State, he may by lot decide which of them shall be selected.

XVII. That when the apprentices have been selected agreeably to the directions herein contained, the visitors aforesaid shall furnish the apprentices by them respectively designated certificates of their selection. They shall also furnish duplicates of said certificates to the Clerks of the several county courts of this State, who are hereby required to spread copies thereof, upon their several records.

Certificates of selection furnished those appointed.

XVIII. The Visitors at the time they select and certify the apprentices shall decide then when to present themselves to the officers of the College, and every Apprentice when he appears before the President and Professors of the College shall adduce the certificate of the Visitor as the evidence of his right to admission.

Certificate of appointment to be presented to president of college.

When the certificates aforesaid have been passed upon by the officers of the College, or by the Rector and visitors, if they should be present and think proper to act, the apprentices shall be forthwith admitted to the privileges of the College, and subject to the discipline and duty thereof: Provided that the officers of the College or the Rector and Visitors thereof, may at any time revise and reverse any decision they may have made, where it appears that fraud has been practiced upon them in relation to their certificates, and the State shall have a permanent and indefeasible title to the apprentices, with an exclusive right to discipline and direct them at pleasure, for six years commencing from the day on which they enter College; during all which time they shall be supported entirely at the charge of the institution, and for the first

College course of six years; complete control of students or apprentices conferred on the college; students to teach three years.

three years of their apprenticeship, shall be carried through a course of discipline and instruction, conformable to the rules of the college, and then shall be subject during the three remaining years, to the performance of such duties, and at such stations, as the Rector and Visitors thereof may think proper to assign them.

One-fifth of students at all times to be employed on farm.

XX. As a fundamental rule of discipline, which the officers of the College, are to cause to be strictly observed, one-fifth of the apprentices are, in turn, to be at all times, actively employed in agricultural labor on the College farm, unless special reason shall require this rule to be dispensed with.

Visitors of the college to be each given a district.

XXI. Be it further enacted; that the visitors aforesaid shall at their first meeting under this Act, arrange the State into as many districts, as there may be visitors, and assign to each visitor a district respectively, and it shall be the duty of the several visitors to visit the Counties composing their respective districts in the manner herein before pointed out, for the purpose of carrying into effect the provisions of this act.

Power to expel given rector and visitors.

XXII. A Quorum of the Rector and the Visitors, or the Visitors alone, shall at any time have power to expel an apprentice from the College, and whenever a vacancy shall occur in the berth of an apprentice, in consequence of expulsion, or any other cause, it shall be the duty of the Visitor, from whose district such apprentice came, in his discretion to fill the same from his said District.

Visitors to fix time the college is to go into operation; officers.

XXIII. The Visitors shall in their discretion fix upon the time, when the college is to go into operation; they shall also in proper time appoint a President and four Professors, agreeably to the directions herein contained to preside immediately over the affairs of the College, and conduct the duties thereof; they may also in their discretion, appoint subordinate officers and servants, to the institution and prescribe the duties and compensations of the same. The compensation of the five principal

officers of the College shall be as follows: For the President a salary of fifteen hundred dollars per annum, and board; and for each of the four Professors a salary of one thousand dollars and board, the several salaries to be paid at the expiration of each and every year, that the President or Professors entitled to the same may serve.

XXIV. And be it further enacted, that to enable the Rector and Visitors to carry into effect the provisions of this act, the Treasurer of the State is hereby directed and empowered to borrow on the faith and credit of the State, ^{\$220,000 for the endowment of the college.} which is hereby pledged for the redemption of the same, the sum of two hundred and twenty thousand dollars, which as soon as he shall have obtained it, he shall pay over to the directors and Visitors of the Political College, hereby established, who shall appropriate twenty thousand dollars thereof to the purchase and preparation of a farm, as herein before directed, and the other two hundred thousand dollars shall be vested at their discretion, in a permanent fund the interest of which shall enure forever to the benefit of the Political college of North Carolina, subject to the control and management of the Rector and Visitors hereof, under the authority and supervision of the Legislature.

REPORT OF COMMITTEE.

The Committee of Education, to whom was referred ^{Report of committee.} "A Bill to establish a political College for the State of North Carolina," have had the same under consideration and respectfully recommend it to the house without amendment. Respectfully submitted,

ROB. POTTER, Chm.

In House of Commons 1st Feb. 1827—read and with ^{Clerk's entry.} the bill laid on the table¹.

—*Unpublished Legislative Documents, 1826-7. House Journal 1826, p. 199.*

¹This bill was never taken from the table.

8. POTTER'S SPEECH ON HIS POLITICAL COLLEGE BILL.

Legislature of North Carolina.
House of Commons.

REMARKS OF MR. POTTER, On the bill to establish a Political College.

Purpose of the publication of the speech.

The speech delivered by Mr. Potter, on the 22d ultimo, on the bill introduced by him to establish a Political College, in this State, having created great excitement and lead to much conversation, in order to correct misrepresentations, and procure a fair construction of his motives, he has thought proper to submit a copy for publication.

Summary of the provisions of the bill.

This bill proposes the establishment of a central institution, upon a farm in the county of Wake, to which those counties in the State which pay into the treasury, by way of taxes, less than a thousand dollars, should be entitled to send one apprentice; those paying over a thousand, and less than two thousand, two; and those paying over two thousand, four. The number which would be furnished according to this ratio would be one hundred and seven. It also provides that the State shall have a paramount and indefeasible title to the apprentices, for six years from the day on which they might enter college; during the first three years of which, they are to be carried through a course of discipline and instruction conformable to the rules of the college; and for the remaining three years, in consideration of the education they shall have received, they are to perform the duty of instructors at such stations in the State, as the rector and visitors of the college may think proper to assign them. The apprentices are directed to be selected from among the youths of the State who shall be within six months of the

age of fifteen years, and the estate of whose fathers shall not exceed in value the sum of a thousand dollars. As a fundamental rule of discipline, the bill directs that the apprentices be divided into five classes, which in turn are at all times to be actively engaged in agricultural labors on the college farm. To effect this, the bill previously directs "that a rector and fifteen visitors, to be chosen as shall hereinafter be directed, be incorporated, under the name and title of the 'rector and visitors of the Political College of N. Carolina.'" It then directs that the visitors be chosen by a joint ballot of both Houses of the Legislature, and hold their appointment during the pleasure of a majority of the members of the same; and invests them with authority to appoint a rector, a president and four professors for the college, and prescribe their duties; to select the apprentices agreeably to rules laid down in the bill, to fix upon the time for the commencement of the operations of the college, to make all dispensations necessary for that purpose, and to carry into effect the details of the bill. It invests them, in short, with full powers of legislation, in all matters appertaining to the college, conformably to the provisions of the bill; and in order to enable them to effect the objects contemplated, directs the Treasurer of the State to borrow and place in their hands the sum of two hundred and twenty thousand dollars; twenty thousand of which to be appropriated to the purchase of a farm and construction of necessary buildings; and the remaining two hundred thousand dollars, to be vested by the rector and visitors in a permanent fund; the interest of which to enure forever to the benefit of the college, subject to the management and control of the rector and visitors, under the authority and supervision of the Legislature.

Mr. Speaker,—In submitting the proposition contained in that bill, a proposition so novel in its character, and, if adopted, so important in its consequences, I trust the House will bear with me a moment, while I open on them

Object to elevate
and dignify the
character of North
Carolina.

some of the arguments in favor of it, and declare to them the motives which have impelled me to offer it. To say that the object of this measure is to elevate and dignify the character of North Carolina, and provide for the continuance of her safety, and the enlargement of her happiness, by enlightening and liberalizing the faculties of her people—that its ultimate scope is nothing less than the diffusion of education among the mass of her children, is at once to announce the magnitude of its importance. Sir, if it be mind which gives to man the dominion of the world—if it be that which distinguishes him from the brutes that perish, and almost exalts him to an equality with heaven, then the process, by which its mighty attributes are developed and harmonised, is obviously an object of paramount consideration. But forcible and undeniable as is this truth, and urged upon us from sources of

North Carolina has sadly neglected the diffusion of knowledge; this state behind every other member of the union.

oracular sacredness, North Carolina seems ever to have remained most sadly insensible to it; while many of her sister States have addressed themselves to the subject with a degree of energy and zeal, which indicate their sense of the vitality of its importance; while they have most liberally devoted their best resources to the development of the moral and intellectual energies of their people, North Carolina, in this, as in every other useful improvement, has continued to stumble and flounder on, at a lazy and lagging pace, behind every other member of the Union.

The state must realize her degradation.

Sir, it is time she were disenchanted—it is time she was brought to a just and full sense of her degradation—it is time that the spell which has so long sealed her energies in death, should be broken, and her thoughts should be raised from the habitual contemplation of low and subordinate objects, and fixed upon her manlier and more exalted interests. Would you ask how this is to be done—would you ask how “a consummation so devoutly to be wished,” is to be accomplished? I answer, educate the people—yes, let in upon their minds the light of science

The people must be educated.

and of truth—confer upon them the capacity of thinking—enable them justly to appreciate their relation to their country—give them to see and understand their rights and interests, and the prevailing instinct of nature will impel them to assert and pursue them. If this proposition, bearing, as I conceive, upon its very face the impress of beauty and truth, should yet be deemed to require the sanction of authority, I would direct you to the sentiments of those chiefs and sages, whose valor won, whose wisdom established our liberties. The man who, when living, received the homage of all hearts, and whose name like a charm still enchants the world—whose form shadowed forth upon the wall, in the attitude of entreaty, would seem to beckon and persuade you to the adoption of his favorite maxim. That sainted sage, in the last word addressed by him to his country, in language the most earnest and emphatic, invited her attention to this subject. These are his words: “’tis substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.”

Quotes Washington
on education.

The Congress of '76, whose deliberations were conducted in the borough which I have the honor to represent, some of whose members were then fresh from the battles of their country, and yet reeking in the blood of their enemies—whilst the fierce and furious din of civil discord shook this mighty continent, and the echoes of the ball and the sabre were sighing and shivering in their ears—resolved as fate—calm and unmoved as gods, deciding on the destinies of mortals—even amidst those terrible convulsions, they were not unmindful of this important

The convention of
1776 enjoined the
general education
of the people.

The subject generally neglected by former legislatures.

The present literary fund inadequate.

Education our only hope of social improvement.

subject; and, in the charter furnished by their deliberations, under which we are now assembled, they introduced a provision, enjoining it as a duty on the Legislature which they then created, to provide for the general education of their people. To the misfortune of the people, and the lasting shame of those who have heretofore occupied the places which we now fill, that duty has never been performed, though occasionally reminded of it by adventuresome members of their own body, and sometimes casually invited to it in the annual messages of the executive, until our present Chief Magistrate, in his recent communication, has pressed the subject upon us with a solicitude and anxiety, characteristic of his well known deep and virtuous sensibility to the best interests of his people. The Legislatures from time to time have sported with the subject, by adopting a barren resolution in its favor; but as yet they have done nothing decisive in relation to it. They did, indeed, at the last session, set apart some trifling branches of the revenue, which they were pleased to style "The Literary Fund;" but if not added to, the present generation at least must pass away before it accumulates sufficiently, to afford effectual aid to the people. Sir, this is not the way to treat this matter—it is a subject not to be dallied with. I would seize upon it with the determined energy, with which, if drowning, I would grapple a plank in the surge. I would embrace it as a measure, on which depended our last, our only hope, of social improvement, or political exaltation; and if the measure I now tender you, be not accepted, or some efficient system for disseminating education among our people be not adopted, I shall sit down in despair, over the irreclaimable degradation of my country. But, by heaven, I will not believe it—I cannot believe you will turn away your faces, and refuse to sanction and approve this measure. I cannot believe, you will thus impliedly

decide that our people are incapable of virtue or excellence, and that they are only

“Born to eat, and be despised and die,
Ev’n as the brutes that perish, save that they,
Have a more noble trough, and wider sty.”

I would invoke the genius of my country to come to my side, and aid me in persuading you to the adoption of this measure. Sir, if she were indeed to appear among us—if the genius of N. Carolina were now to present herself to you, who are charged with the destinies of her people, instead of the majesty of a guardian goddess—instead of a radiant brow, and an eye flashing light and dignity on this assembly, you would mark her with a pallid front, and “sad and shrouded eye,” and in the hollow accents of despair, she would demand of you, in the language of admonition and reproof, “why sit ye here, all the while idle?” why assemble here from session to session, and expend your time upon ephemeral objects, while you neglect the very salvation of the republic? why meet you here from year to year, to scuffle over subjects, unimportant to the public, and trifling in themselves, or to squabble about the disposition of a clerkship or a judgeship, whilst the people, for whom all this is intended—for whose benefit government was established, laws enacted, and judges appointed—whilst the people are left to rust in primeval ignorance—rotting from sire to son, and age to age, deaf as the adder, and dark as Erebus? She would tell you, you were a degraded and despised community; but only so, because you would be so. She would tell you that North Carolina was a lion in the net, an eagle without his pinions, fixed upon the earth, and gazing at the sun in despair, and she would conjure you to make one generous, one manly effort, to redeem and disenthral her—to take, at this moment, a firm and noble stand in support of the most sacred rights of humanity—to silence in your

Sad picture of the present condition of the state.

The people left to rust in their primeval ignorance while the legislators squabble over trifles.

An appeal for
action in favor of
educating the
people.

hearts the suggestions of every selfish passion, and act with a single eye to the honor and interests of your country. She would remind you of the frailty of life, and the immortality of virtue. She would tell you, that time scoffs and hisses at the grandest achievements of man, and crushes, and crumbles, the proudest monuments of his power; but that fate itself had no control over virtue, essentially eternal, it should live, like a cherub smiling above the storm, when the frail forms from which it sprung, should have returned to the clod of the valley. She would warn you that the flight of time was rapid and irrevocable; and with a voice, like the music of the spheres, she would implore you to seize upon the passing hour—to make it your own, and render it immortal, by consecrating it to patriotism. Cheered and elated at the effect of her admonition, her form now buoyant with hope, her brow brightening and flushing, and her eye dilating—tearing the shroud from her face, and stamping with an emphasis that should wake an echo in every cottage of Carolina; in a tone of encouragement and command, she would exclaim to you, as she retired, “Arise! thou can’st and must.” Yes, to be great, North Carolina has only to will to be so. She has moral and intellectual energies, which, if put into action, would command for her an honorable and enviable elevation in the Union—an elevation, where the proudest should conceive themselves honored in her smile. She has, indeed, though all unknown to the world, names dear alike to genius and science—names, which the all-enduring hand of fame will inscribe upon the proudest pillar of her temple, and over which the most approving smiles of virtue have been poured. The virtues of Henderson alone, might atone for the errors of a vicious age, and win from heaven a pardon for its frailties and its follies. Like a proud tower of other days, time-worn, but unyielding, that lifts its brow to heaven, itself the image of eternity, standing amidst desolation, he

Deplorable absence
of patriotic pride;
men of genius not
given the leader-
ship of affairs.

stands, in all the grandeur of intellectual solitude, upon a soulless waste, over whose dreary and cheerless bosom the eye of the mind searches elsewhere in vain for shelter and a resting place. If there should prevail every where else a dearth of feeling and of thought, to him would I repair, as did the way-farers of Israel to the moral fountain, so sublimely typified in the rock of the desert. To him would I repair, to renovate, refresh, and sustain my spirit, as to an exhaustless source of truth, of virtue and of wisdom. But though we have such men of might among us, they continue here in the backwoods of N. Carolina, drifting quietly along the stream of life, their noble energies lost to their country, and expended, chiefly on mere private professional pursuits. Such is the deplorable absence of high feeling and patriotic pride among our people—such their profound ignorance, not only of what concerns their honor and their rights, but their interests merely, that instead of arming and sending forth their strong men to battle they seem content to entrust the conduct of their political ranks to the merest pigmies of the community. It is a fact, justly mortifying to the pride of every enlightened lover of his country, that though among our delegation to the National Legislature, there be several worthy gentlemen, yet many districts of our people have selected, as the guardians of their political interests, and the champions of their political honor, men who are known to have no honor of their own, and no ability to defend it, if they had it. Well may it be said of them, “The ass knoweth his owner, and the ox its master’s crib; but Israel doth **not know**, my people do not consider.” The people do not indeed know, or consider what they do. They do not consider, that the national government, having from the time of its organization, been invested with a strong control over most of the important objects of legislation, is now fast attracting, and drawing within the verge of its power, every essential interest of

Many representatives in congress have no honor.

the people; and, consequently, that the thirteen men, deputed by them to the national legislature, are probably every day called upon to decide questions bearing more decisively and vitally upon their rights and welfare, than do the whole body of measures, which we here at home have to act upon, in a six week's course of legislation. It is not less appalling than disgusting, the effect on the magnitude of the trust, and the responsibility of the trusted.

Our legislature engaged in frivolous matters, while congress votes away the national revenue to other states; the cause of such conditions.

While we sit here engaged in listening to petitions for gates, petitions for divorces and petitions for legitimate bastards, they are carrying on stupendous operations, and expending millions of money, drawn from the pockets of the people; and how expending it? Aye, how expending it? why, the money raised from honest, laborious and self-devoted North Carolina, is expended in other states. It is transferred to those states, who do themselves the justice, to send to their National Legislature, not toppers, and fools, and vagabonds, but men—men whose characters and talents command for the interests of their people, a decided preponderance there. North Carolina, the sixth state in the Union, in numbers and intrinsic resources, is yet the very last in political dignity. She exercises less influence and controul over the measures of the national government, than the little State of Delaware, with a single representative. In the appropriate and emphatic language of one of the few men in our national delegation,

North Carolina the Ireland of the Union. Has no voice in congress; the reason.

of whom we may be justly proud, North Carolina is the Ireland of the Union. Yes, sir, we are the tributaries of the Union. "In the sweat of our faces do we earn our bread," and pay to our masters what they demand of us; and the only benefit which we derive from it, with some honorable exceptions be it spoken, is the privilege of sending a few cattle to Washington, to be stalled and fattened there during the winter, on a part of the proceeds of our own labor. If ever we disturb the silence of the hall of Odin, and mingle in the din of its gladiators, our "voice,

is like that of one from the wilderness, whom no one heareth." The expression of our wishes is met with bitter scorn, or with calm contempt, and cold neglect, from the National Legislature, and the National government. Why? Because the organs, through which, in a great measure, we choose to communicate with them, are not entitled to respect themselves, and cannot, therefore, command it of us. But if, in "these piping times of peace," they are utterly inadequate to the great trust confided to them, it is dreadful, it is horrible to reflect, what our people may suffer from the impotency, in great and dangerous emergencies. And can we be so infatuated as to indulge the hope, that we are to be left forever to the calm and undisturbed enjoyment of our rights—rights, to establish which, the wealth of our fathers was exhausted and their best blood poured forth like water? Believe me, no! Liberty is a divinity, whose favor, as it is not to be won, so neither can it be kept by the offerings of dullness and luxury. Wisdom and virtue alone can propitiate her smiles; and never does her votary appear so lovely in her eyes, as when his glove of mail is dyed in gore. Sir, the time will come—nay the time is coming, when, without the most heroical mildness, magnanimity and forbearance, not this State only, but this mighty Union, is to be shaken and convulsed to its very centre; and it is in these halls—it is in the halls of legislation, rather than the "tented field," that questions are to be decided, involving national liberty, or national slavery—National existence, or national death. In such an event, when that crisis shall arise, when the storm that is now silently collecting in its wrath, shall actually burst upon us, what will be our attitude? Aye, what will be the bearing of North Carolina with such men in her national council, as Daniel Barringer, Willis Alston, and Lemuel Sawyer? Will they protect us? Can they protect us? 'Tis notorious, that neither have the sagacity nor the energy to do it. They

Names the incompetent members of congress from North Carolina.

have not the soul to stand in the presence of the mighty men with whom they are absurdly classed, and in their faces calmly, but boldly, assert our rights and advocate our interests. Pardon me, sir, I do not regard this as a proper place to bandy vulgar epithets. I have too much respect for the gentlemen with whom I am associated, and before whom I now stand—I have too much respect for myself wantonly to indulge here, in expressions of personal hostility. I cherish none towards either of those unfortunate men; but I feel indignant and disgusted at the degradation of my country, and it is under a sense of public duty that I speak, when I say that one of them, is not only without talent and without character, but without free-agency—that he is not only a slave to mean and low propensities of his own, but a pimp and a caterer to the selfish and sordid passions of a malignant villian and a vile slanderer. Yes, he is governed by a fellow, who is himself governed by the Federal Government, who holds a sinecure under the Federal Government, and in the last 3 years has pocketed ten thousand dollars from the treasury of the union, without having rendered a single act of service for it; but has continued here at home, lounging about the courts of the country, and slandering our most virtuous and useful citizens, only because they were honest than himself, and because, here at home by their country who knew them both they had been more honorably noticed and advanced. One might have expected better things from his age; but the whiteness of his hair, bleached by the frost of fifty winters, forms a singular and sad contrast to the darkness of the thoughts that roll below. But I forbear. It is a sufficient punishment to him to be what he is. Let it not be supposed, that because I thus allude to the characters of mean men, who hold high stations in the country, that I am the less regardful of the honor of my country. I love my country, and would die for her. Yes, sir, if the offering of my

poor life could in aught advance her interests or her honor, heaven knows that I would lay it down as promptly and as cheerfully as ever gallant entered the bower of consenting maiden; but though "with all her faults I love her still," I will not flatter those faults, I will not flatter her rank vices and follies—I will not "bend to her idolatries a patient knee, nor cry aloud, in worship of an echo;" but rather hold a mirror up to her which, by reflecting her moral deformities full in her face, shall teach her, if possible to turn away, in shame and terror from them. It is right—it is necessary, she should see how she is gulled and dishonored. She does not know it—she does not feel it—and all the ills she bears, are to be traced to her profound insensibility—to her political character and political rights. I affirm, that such a sentiment, as an enlightened regard to the dignity and interests of their country, does not exist among the mass of the people of North-Carolina; and, in the name of God, I would ask you who are assembled here, under the sacred and responsible obligation to guard their honor, preserve their rights, and provide for their welfare, if you will continue to sit quietly here, with your arms folded, and wait for heaven to inspire them with it? The days of inspiration are no more, and it will be vain and idle in us, to expect our people to become wise and virtuous, until we give an impulse to their slumbering energies. To impart that impulse is the object of the measure I now tender you. It is founded on the admission of our inability at this time, to extend the benefits of education to all our people, and proposes, therefore, to select from the several sections of the State such a portion of our youths as we can conveniently educate, and assemble them in a common college, that we may qualify them to instruct the others. Let not the plain and prudent men of the house be started at the name of the institution—nothing extravagant, nothing grand in the common sense of the word, is intended. It is not proposed to instruct our young men how to educate their

Enlightened regard for the dignity of the State does not exist among the masses.

The kind of education needed.

The college would have an uplifting effect upon all the people.

Our professions are great, our acts small.

bodies, to shine in the drawing rooms, and prattle about literature and the sciences, but to instil into their hearts the chastest and severest principles of virtue and philosophy—to teach them, as the cardinal principle of education that the first and most sacred obligation of a citizen is his duty to his country, and qualify them, at the same time, efficiently to perform it. All is to be conducted on the most rigid principles of economy—a farm is to be established, and plain wooden buildings constructed, as the only outward signs of the college; and, as a fundamental rule of discipline; the young men are to be divided into five classes, and in turn to be constantly engaged in agricultural labours on the college farm. The influence of an institution, founded and conducted on these principles, would not be limited to its own membership. It would have an exalting effect on the morality of the whole community, and strongly tend to create an enlightened tone of sentiment, and a just sense of excellence. Who can say, that such a sense now exists among us? I affirm that it does not. We are magnanimous enough in professions. We say we are republicans, and profess to live for virtue and for liberty; but when we come to act—when we are called upon for that true touchstone of the heart, we show at once the emptiness of these professions. Every man's experience must have satisfied him of this. I have myself striking exemplifications of the fact. I have met with those, who were all magnanimity in professions, but real meanness in conduct—who, under an appearance of simplicity approaching to childishness, and generosity bordering upon enthusiasm, concealed a degree of guile and of selfishness, that would have augmented the address of the primal seducer. Yes, sir, the great Don Juan of Eden himself, who triumphed over the virtue of our first mother, was not more wily and more artful, and, like him, it is their great luxury, with insidious creepings, to wind their way into the unsuspecting heart, only to deposit their

poison there, and leave it blackened, if not blasted by the contagion. I call upon you all to look around you in the world, and see if its dignities depend on virtue. Do you not everywhere behold villians, insensible to all the obligations of morality and patriotism, whose wealth alone secures to them the smiles and honors of the world, when, too, in the very acquisition of it they have violated not only the kindly feelings of nature and humanity, but the sternest principles of truth and justice? Yet, it matters not, though a scoundrel may have robbed his mother, his father, his brother, his friend, or his country, if he has done it in a way to screen himself from a prosecution, and save his ears, though he may basely have put into his pocket ten thousand dollars of the money of the people, for which he never rendered a single act of service, yet having secured it, he may furnish feasts, and honest men will condescend to share them. Nay, more, he may obtain a place in the Legislature of his State, and there procure the passage of an act, for his own private and especial benefit—an act, bearing upon its very face a lie, and having for its object nothing more or less than the securing of a legal fee in his dishonest and “itching palm”; and yet not only escape the vengeance due to crime, but continue to legislate for the very people he has thus betrayed and dishonored. I call upon you, the guardians of the morality, as well as the rights of the people, to put your faces against their abominations; and by adopting the system of education before you, prepare the way for exterminating these evils. The people should be instructed to respect nothing but virtue; to despise and tread upon a villian, though his limbs be arrayed in gold and fine linen.

The mere contemplation of such an institution as the one proposed, would strongly tend to accomplish this result. It would be a sublime and noble spectacle to see a body of young men, associated together under the sanction

Education the means of ending present evil conditions.

The proposed college would fit young men to serve their country.

and patronage of their country; the direct and exclusive object of whose education, should be the attainment of excellence. It would relieve them, too, from the degrading consciousness of dependence, to know that while they were qualifying themselves to serve their country, they could, in a course of healthful exercise, produce what was necessary to sustain and support themselves. It would dignify labour, and make it respectable, not only in their eyes, but those of the community; and would thus furnish a powerful incentive to general industry. It is impossible to detail, or even to anticipate, the many advantages which might result to the country, from the agricultural department of the college. Agriculture, the most important interest of North-Carolina, for we are essentially a body of farmers, would there be systematised and reduced to science: the professor of agriculture would be chosen for his knowledge of the elementary principles, as well as the practical details of the science; and, in the conduct and government of the college farm, might throw a body of new light on the subject, which would be eminently serviceable to the whole community. Next in importance to the department of agriculture, is the military professorship. It is admitted to be incompatible with the spirit of our government to keep on foot a body of mercenaries; and hence it has been laid down as one of the cardinal principles of our republican policy, that to the militia should be left the defence of our liberties. Is it not greatly important then, that they should be efficiently disciplined and instructed? Who that has attended the arrays of our militia, and witnessed their clumsy and ungraceful evolutions, but must laugh to scorn the idea of their offering effectual resistance to a disciplined foe? I am sure I do not err, when I say that ten thousand men, who had seen service—ten thousand courageous and disciplined troops, thrown upon the coast of North Carolina, might overrun the State with fire and sword. Let not my

Agriculture would
be elevated.

The militia would
be rendered efficient.

sentiments be misunderstood. The light of heaven no where shines upon a braver or a hardier race than that of North Carolina. I do not believe there is on earth a people, with bolder hearts or stouter hands, than those we represent; but the history of all time has shewn, that, in the field, the best and noblest efforts of valour are vain without discipline. If we would be wise, therefore, and act upon the lessons of the past, let us now, when it is in our power, lay the foundation of a general military education for our people. If it be desirable that they should be disciplined at all, and our policy is mainly founded upon that principle, then it is obvious they should be well disciplined; so that, in time of need, they may stand forth, the guardians of our liberties, our women, our children, and our firesides. Among other interesting results, this important one would inevitably attend the adoption of the system before you. It does not propose to make enlightened citizens of those merely, who shall be immediately educated under it; but through them, to reach and instruct the great body of our people. It is to be remembered, as the condition on which their country is to undertake to educate them, that she is to have a paramount and indefeasible title to their services, for six years from the day on which their education commences; and that, after they have been supported and instructed for three years at the Political College, they are to be distributed through the State, at such stations as the Rector and Visitors of the College shall think proper to assign them, and there serve the other three years in disseminating among their countrymen the benefits of that education, and that discipline, which their country shall have conferred upon them. We shall thus have created for ourselves a body of instructors eminently and efficiently qualified to superintend the morality and intellect of the State, and to give a just and enlightened direction to it; and when district schools shall have been established throughout the State, the Political College can remain as a focus for the concen-

Wise to provide for the general military education of the people.

Those educated to be teachers at various places in the State; effects of the plan.

All the people can
not now be edu-
cated; only a few.

tration of the genius of the country. It would be a nucleus, round which the sentiments and affections of the people would form—it would give life and soul to the State—it would be to her, what now she has not, a heart, equally enlivening and animating all her parts, and would soon absorb the stupid and selfish prejudices now entertained by one portion of our people against the other. The men who should be educated there, would be particularly qualified to contribute to this result. One of the principles of the measure is to extend the aid of the State only to those who are unable to educate themselves. Taken, therefore, from the humblest grade of life, and exalted by education, they would, when they returned among their countrymen, have more authority and influence with them, than those of equal abilities, but higher birth, and better fortunes than their own. It is impossible at this time to enumerate all the advantages which might result from such an institution, or even adequately to discuss the details of the measure itself. Perhaps, however, among other reasons for opposition, it may be objected to, on the ground of the smallness of the number which it proposes to educate. To this, I answer, that the sparceness of our population, diffused as it is over such an extensive space, and the condition of our fiscal concerns, forbids, at this time, the thought of educating all our people; and it is, therefore, proposed to select from among them such a portion as our funds will enable us to educate, and qualify them to instruct the others. It may be answered, too, that if the number of young men to be educated, compared with the whole number of the State, be small, the sum to be raised by the State to support and educate them, compared with the whole amount of the funds of the State, is proportionately small. The interest of it might be raised from the property of North Carolina, and so trifling would be the portion which each man would pay, that unless reminded of it, he scarcely would perceive it. Many gentlemen in my part of the

State annually contribute a hundred times as much as their share of it would amount to, to improve the breed of game cocks and race-horses. Besides, a hundred men, educated in the manner proposed, would be worth to the State more than a hundred thousand, with a mere smattering of education.

In all ages, in all countries, we find that in difficult and dangerous emergencies, the safety of many has depended on the few; and in a decisive crisis, a hundred such men would be worth to us far more than the "rascal counters" which we should expend upon them. They might be worth to us our liberties. Sir, would you ask for an instance of the amazing influence, which even one great mind, happily cultivated and fairly developed, could exercise over the interests, the character and the fame, even of a learned and powerful nation. None who have communed with him, ever can forget the divine spirit that breathes and burns in every line of the immortal Scottish tales. As an author, he has done more for his country, than ever man before did for his country. He has rescued Scotland from comparative obscurity and oblivion, and made her a holy, and a haunted region. Every vale of his native land has been lighted up with a ray of his genius, and her mountains and her caverns are peopled with the children of his fancy. Among his pages, her chiefs and sages rise, like "spirits conjured from the vasty deep," and stand embodied there, in the eternal panoply of truth—truth avouched by history, and consecrated by genius. Their thoughts, their deeds, their very forms, have all the warmth and freshness of life; and we hear, and see, and almost feel them, with as palpable distinctness, as if they yet "lived, and moved, and had their being." But whence the mighty power, that could thus, "as with the stroke of an enchanter's wand," call back the vanished models of past excellence, to act as monitors of living men, persuading us by their eloquence, and exalting us by their example, to the pursuit of virtue and excellence? Whence,

The value of a few educated men.

What Walter Scott has done for his country.

I say, this mighty—this magic power? The original capacity must indeed have come from heaven; but its development was the fruit of education alone. But for the expanding and ennobling influence of education, even Scott himself,

“In life’s low vale remote, had pined alone,
Then drop’d into the grave, unpitied and unknown.”

Education makes the difference between Scott and many North Carolina boys.

In education alone, may consist the difference between his mind, and that of many a youth, now toiling at the handles of a plough, in the fields of Carolina; and the elements of as great a heart might be found beneath the tattered vest of many a helpless boy. Nay, I take it upon myself to say, that I do not know a man, reared and living among us in profound obscurity, scarcely less divinely gifted than Scott himself, who, if his lot had been cast in a kindly and intellectual region, would have been the object of universal love and admiration—whose spirit, if it had been courted into expansion, and enlivened into action, would have been a blessing to his country, and an ornament to humanity; but, alas! alas! too gentle and too delicate, to meet and master the rugged storm of vulgar passions and stupid prejudices, that spirit is fast retiring within the dark and icy chamber of despair. I speak, and I could weep while I speak, of the immortal Edwin Paschalle. Yes, though his name be like my own, unknown to fame, yet here in the face of my country and the world, I dare to call him the immortal Edwin Paschalle, for the elements of his mind and of his heart can never dissolve, but must endure forever. Death may indeed lay low his mortal form, and remove him from a scene unworthy of his pure spirit; and when that hour shall arrive, to him bringing neither terror nor sadness, when the shaft of the dark and relentless monster shall reach and rive his sublime heart, the genius of poetry will hover o’er the spot where he reposes, and chant to the winds of the evening, “a mute, inglorious Milton, here doth rest.” And will you thus permit the genius of your

Tribute to Edwin Paschalle.

country to droop and wither, and die of inanition? Will you leave the rich mine of intellectual ore, every where abounding in your State, unexplored and unwrought? Or, rather, will you not forthwith establish a moral mint, and work it up, as the only source of true wealth and happiness to the people? The University, indeed, is now open to the sons of the wealthy, where they are received and cultivated to the utmost extent of the capability of improvement; but those of the needy must gaze upon that temple of science, as did the patriarch on the land of promise, as a place they are destined never to reach. Adopt the system of education proposed to you and it will at once remedy this hardship and remove these unjust distinctions. Wherever a genius shall appear, with more than ordinary promise of ability to serve his family and his country, no matter how obscure his birth, how low his fortune, the fostering hand of his country will be extended to him—he will be taken under her protection and his education provided for. Sir, I despise gasconading here and elsewhere, and it is only because I know, that were I called upon, I should be prompt to act as I am to speak, that I now declare to you, that such is my sense of the utility of this measure, of its vast importance to the dearest interests of my country, that if blood alone could procure its adoption, and the sacrifice of an humble individual would suffice, here in my face would I receive the axe of the executioner. At this moment, and on this spot, would I bow me down, and submit to the death stroke of the headsman; and I should depart with the consoling and triumphant conviction, that I had done more to exalt the character of my country, to enlarge her happiness, and perpetuate her liberties, than if I had been entrusted with the command of her citizens, and had met and vanquished her enemies in the field. But, alas! for the honor and the interest of the State, such is the doting fondness with which many of us cling to the pettiest portion of power, such our extreme reluctance to incur the least lia-

The plan of education proposed will tend to remove the distinction of wealth.

Fear of public opinion controls the votes of members on appropriations.

bility to lose the dear favor of the people, that whenever we are called upon to make an appropriation for money, though it be directly and obviously for their benefit, we fix our eyes at once upon their brilliant chandelier, and begin to calculate the chances of returning next winter, to spend six or eight weeks in this fine hall, with the right to say yea and nay, on unimportant questions. I should hope, however, that on this occasion you would discard all selfish considerations, and resolve to act worthily of your country and yourselves. I know not how it may be with the rest of you; but, for myself, when I shall cease to live in accordance with the dictates of honor and of truth—when I shall be deterred by any consideration whatever from the bold and honest discharge of my duty to my constituents and my country, may the execration of those constituents and of that country await me—may the spirit of my father, whose heart was exalted, though his station was lowly, and whose principles remained pure and unaltered, even by the foulest and most evil destiny—aye! may his spirit indignantly swoop on me from on high, and blast me with the wrath of his eternal curse. “O, Gentlemen, the time of life is short, to spend that shortness basely were too long: though life did ride upon a dial’s point, still ending at the arrival of an hour.” Of the frailty and the fleetingness of our nature, what an appalling and mournful exemplification have we just beheld.

Refers to the fate
of Stanly.

While standing up here in the presence of his country, the champion of her best and noblest institution, in the full exertion of his divine energies, in defence of her dearest and most essential interests, the godlike Stanly faltered in his course—even his great, his mighty mind quailed and sunk beneath the mysterious power of heaven. In the arms of his weeping country he fell, who, with grief unutterable, had marked his failing, and rose with eager zeal to receive and sustain him. The fortitude with which he met the blow, the effort of his undauntable spirit to bear his body up against the shock; the dignified and

stern reluctance with which at last that body yielded to a power which mortals would in vain oppose, constituted the most sublime and impressive spectacle I ever beheld. May that power, which thus in a moment snatched him from among us, again restore him to his deserved pre-eminence. Brief indeed is the space allotted us, either for thought or action. But few years will have passed away and the seats we all now occupy will be filled by other forms, as reckless, perhaps, and certainly as perishable as our own. Those of us whose voices shall not have been stifled by faction, or by the just and enlightened decision of our country, will have fallen beneath a sterner and a surer blow than that which silenced the eloquence of Stanly. Here, then, while we stand "upon this bank and shoal of time," let us do that, which, in after years, shall show we did not live in vain. Let us leave to the future generations of our countrymen a lasting and consoling evidence, that of the many hours of sin and tears, crowded into our mortal span, there was one in which we yielded to the suggestion of patriotism and virtue. For myself, if it were pardonable in me at this moment to indulge a selfish thought, I should say that if fame stood obedient to my will, with all her fools and monuments before me, I would choose, as the safest and most sacred repository that which should convey me to posterity, as the author and successful advocate of this measure.

Would rejoice to be known as the successful advocate of this measure.

"But is too fond and far,
 These aspirations in their scope incline,
 Should dull oblivion bar,
 My name from out the temple, where the dead
 Are honored by the nations, let it be,
 And light the laurels on a loftier head;
 And be the Spartan's epitaph on me,
 'Sparta hath many a worthier son than he.'"

—*The Star*, Feb. 23, 1827.

9. DISCUSSION OF THE MORALITY OF LOTTERIES.

The bill authorizing the Trustees of the Richmond Academy to raise by Lottery, ten thousand dollars, was read the second time, and the question having been put on its passage—

Richmond academy in need of buildings which can not be provided by private funds.

Mr. Leake, rose and said, that it would doubtless be recollected, by the greater part of the Senate, that when at the last session, he had the honor of introducing a similar bill to the one now under discussion, he had taken occasion to advert to the circumstances which had made it necessary for the Trustees of the Richmond Academy to apply to the Legislature, for that kind of assistance contemplated in the bill. He had then mentioned, that a short time prior to that period, there were about 60 pupils in each department of the institution, but at that particular juncture, the School was somewhat languishing for the want of buildings—not one being owned by the Trustees for the accommodation of the Females, and the one in use by the Males was in a state of dilapidation and nearly unfit for use. Having mentioned these facts for the purpose of shewing that the Richmond Academy was entitled to rank among the most respectable institutions of the State, but was about to pine away for want of houses, Mr. L. said he had frankly confessed, why the Trustees had not provided them. The reason was, they neither had, nor could they acquire funds sufficient for that purpose, in any other way than by Lottery. Neither the Trustees of that nor of any other Academy, said Mr. L. would be willing, he knew to take out of their private pocket 8 or \$10,000, and apply it to a purpose, not intended to bring them any pecuniary return or exclusive advantage, but designed wholly for public benefit. He also knew that the sum could not be raised by subscription in the neighborhood, and who did not know, that a donation out of the public Treasury, was a still more dif-

Impossible to get an appropriation out of the public treasury.

ficult and improbable event. And hence it was he had ventured the prediction, that unless the bill passed, the return of another session of the Legislature, would not find that respectable School in its then prosperous condition. But, notwithstanding all that was said, his bill had failed—Gentlemen voted against it, either because they could not reconcile lotteries to their principles, or because they did not believe the School was in danger. If the former was the ground of their opposition, without wishing to discuss the question whether lotteries were immoral, Mr. L. said, he would merely remark, that his principles were more pliable than theirs, inasmuch as he could vote for a lottery intended for some useful public purpose (to prop up a declining school for instance) with as much cheerfulness, and as little reproach of conscience, as he could enter into a cotton or other speculation where there was a chance (as is always the case) of involving his family in ruin. But if gentlemen voted against it, because they believed that the school could get along without it, it was now his duty to inform them, and the Senate generally, that what he had feared, on a former occasion, had been too fully realized. That the entire female division of the school, consisting of some 50 or 60 young ladies, had been lost to the Trustees within a short time past, without as he feared, the possibility of being regained, except by the passage of the bill now under consideration. He hoped therefore, the bill would pass.

Mr. Hill, of Franklin, was opposed to the bill, and his opposition arose from one of the objections, attributed by the gentleman last up, to the opponents of the measure. As regards the call made upon us for the support of the bill on account of the languishing state of the institution for whose benefit it was intended, it is known to every person acquainted with the history of such institutions in this State, that they have all more or less, experienced the fatality attending the Richmond Academy. However

Could vote for a school lottery with a good conscience.

Mr. Hill says most academies have met with ill-fortune. The promotion of them by lottery against sound morality.

Lotteries a species
of gambling.

anxious he might be for the cultivation of the human mind, and the general diffusion of the benefits of education, he could not agree to promote these desirable objects in this way. He was willing to do anything not contrary to the principles of sound morality, to disseminate useful learning, but he had yet to be convinced, that the utility of the end, sanctified the impurity of the means put in requisition for its attainment. He never would aid by his vote, any measure which savored of the damning influence of gambling. He thought Lotteries were a species of gambling, and he thanked God he had never voted for their encouragement. That Lotteries participated of the nature of this pernicious evil, he thought could be proved, could be conclusively established.—What, said Mr. H. are the characteristic features of gambling? Is it not that we venture something for the sake of gaining more? And of all kinds of hazard, that of adventuring in a lottery is the most fascinating. Indeed, it possesses such a charm, that he had known even pious men drawn without reflection into the snare, and who awoke from their dream of folly, to see in a proper light, on what slippery ground they stood. The poor were frequently influenced by the hope of gain, to vest their hard earnings in Tickets, which but too often resulted in the impoverishment of their family and their own disgrace—Look around at the increase of the evil. Formerly it was but nominal—now, we cannot take up a country paper, but flaming lottery notices attract the attention. It was high time indeed to frown down this monstrous evil; and if it cannot be entirely restrained, let it not be encouraged by affording new facilities for its exercise.—Believing Lotteries to be as detrimental to the morals of the community as cards, dice, or anything else, he could not patronize them even to subserve the cause of literature.

Mr. Pickett does
not believe lotter-
ies inherently
vicious.

Mr. Pickett entertained very different views on this subject, from the gentleman from Franklin. He seemed

to deprecate the passage of the bill, on account of the immoral tendency of the principles which it involved—but as for himself he could not believe that Lotteries were inherently vicious. What are we asked to do?—to assist the Trustees of the Richmond Academy, an institution which had done much good, in supporting their school, which, without our intervention, must fall to the ground. What other way is left but by Lottery, to obtain this assistance; as the gentleman from Richmond has justly observed, we could not expect a donation from the Public Treasury. What, said Mr. P. do we come here for? Is it not for the purpose of adopting measures to advance the character of the State and to improve the condition of the people? And what measures so sure of those results, as those which foster and establish schools. Do not let us manifest by the rejection of this bill, that we place but little value on the benefits of education. It was known that our laws licensed the lottery system, and that in every part of the State, individuals were engaged in vending tickets in lotteries created for the benefit of other States. He could see no reason for withholding from the friends of literature the privilege of raising funds for purposes connected with the best interests of our citizens. It is certainly good policy to keep our money at home, for persons will venture, and if no opportunity exist at home, they will seek it elsewhere. He could not believe that the ruinous consequences would arise from Lotteries, which the gentleman from Franklin had imagined. From the first establishment of our government, acts have been passed, authorizing Lotteries. The practice was not confined to our own State, but had been sanctioned, he believed, by every member of the Union. Is it possible that they would have been countenanced so long, if they were productive of the great evils which had been attributed to them? He should think not. He concluded by saying, that he should always feel bound to vote for similar measures, where their aim was the public good.

People will buy lottery tickets; best to keep the money at home by promoting local lotteries.

Mr. Hill cites one instance of lottery fraud.

Mr. Hill made a few observations in reply to Mr. Pickett. That Gentleman, said Mr. H. had remarked, that he never knew any fraud committed in these lotteries, nor did he believe they would arise. He could call his attention to many instances, he would mention one, that of Jonas Frost, of Smithfield, who, perhaps, had managed his lottery as judiciously as any one ever did, for after selling all the tickets, he pocketed the money and decamped without drawing it. It was not unusual for these lottery holders to make their jack at one stroke, as Jonas Frost did. Suppose, said Mr. H. we should authorize a lottery for any purpose, and the individuals to whom it is granted, after selling the tickets should refuse to draw it, what claim have we upon them. He had no ill will against the Richmond Academy—he wished there were flourishing institutions in every county of the State—for indeed, the diffusions of the blessings of education would be the best antidote to this gambling spirit which pervades the community. But if we authorize one county to draw a lottery what will be the consequence? Every county in the State, has an equal claim upon us, and they will want a similar privilege, and if we grant the boon to all it would be without value to any. He therefore doubted the propriety of the measure, as well on the score of policy as morality.

The evil of lotteries does not outweigh the good.

Mr. Seawell said, the object of this bill was to raise a sum of money, for the purpose of putting an Academy into operation, for the diffusion of learning; and this could not be done without receiving aid from other sources than were in the reach of the Institution. If he understood the matter, the rejection of the bill was contended for, on the ground of immorality and impolicy of the measure. He thought a fair statement of the case was this—is the evil which would result from the passage of this bill of sufficient magnitude to counterbalance the good which would flow from the successful operation of the Academy in

question. It had been admitted by the gentleman from Franklin, that the best antidote to this gambling spirit would be found in the propagation of Seminaries of learning. If the situation of the country would warrant the establishment of schools in every county at the public expense, there would be no necessity for resorting to this mode of rearing Academies; but are gentlemen prepared to vote for such a law or in our present embarrassed affairs, could the people spare the money necessary to carry the law into effect? How will this bill operate? Does it put the hand of the collector into the pocket of any one? No, like all other speculations it holds out a prospect to adventurers, to gain a large sum by risking a small one. Gentlemen talking about restraining the people from indulging a gambling propensity. It cannot be done; if it be attempted, the only effect will be a change from better to worse for they will carry it on in secret—it cannot be checked by prohibitory enactments; for it is inherent in the nature of man. If a man buys a land warrant, is it his intention to emigrate where the land is located? No; nine times out of ten he buys on speculation, and the principal portion of the transactions of the world are undertaken for purposes of speculation, and they originate in the same spirit, which influences the adventurer in a lottery—it is all hazard. Everybody acts on the principle of gain; we are then, strictly speaking, all adventurers. The merchant who buys \$10,000 worth of goods in New York and insures their safe arrival in port by paying a premium, does to all intents and purposes run a risque which constitutes the essence of a lottery. Does the Insurer establish his office, to protect commerce—no, to enrich himself. But the Trustees in this instance do not wish to put money into their pockets—no, they desire to advance the happiness of mankind in general, by enlightening its members. If this bill passes, so far from encouraging vicious propensities, it will give birth to hos-

Gambling can not
be prohibited by
law.

Insurance compa-
nies compared
with lotteries.

New York obtained money for internal improvements by lotteries.

tility of sentiment as regards gambling by annually turning out a large number of well educated youth. Will not this be an ample requital to those individuals who shall pay a few dollars for a ticket? The great state of New York derived her funds for carrying on her mighty system of Internal Improvements from lotteries. But were her farmers bowed down and impoverished? No, quite the reverse—the lotteries are supported not by them, but by those gentry who if they did not risque their money in this way would perhaps make a more unprofitable use of it. He hoped the bill would pass.

Mr. Leake resents remarks of Mr. Hill.

Mr. Leake felt thankful for the able assistance rendered him, which perhaps made it unnecessary for him to say anything more on the subject; but he begged the indulgence of the Senate for a few moments. The gentleman from Franklin, in the remarks which he made, referred to some manager of a lottery, who, after selling his tickets, “decamped” with the money. If he intended to insinuate by this observation, that there was any probability of another decampment, he must say that the allegation was as unworthy of himself as unjust towards the Trustees of the Richmond Academy.

(Here the Speaker informed Mr. Leake that his remarks were of a personal nature, and could not be allowed.)

Mr. Hill asked leave to explain, and disclaimed having any allusion to the Trustees of that Academy.

Games of chance not immoral.

Mr. Leake resumed. He had expected opposition from the gentleman from Franklin. He had heard him more than once denounce, not only this, but all bills of a similar nature, and therefore was not startled when he saw him rise.—But why was the gentleman so hostile to lotteries? because they are games of chance and therefore immoral. That they were games of chance, he did not deny, but that this necessarily constituted them immoral, was a conclusion to which he could not subscribe. It was a conclusion which branded as immoral the various vocations

of agriculture, commerce and manufactures, for there is certainly risk, when the husbandman sows his seed, when the merchant adventures his stock in trade. Upon this branch of the subject Mr. L. begged leave to read a part of an able report made to the Virginia Legislature at its last session on the subject of lotteries. (Here he read an extract.) He then went on to say, that the individual who, after reading that report, could still maintain that there was not an essential difference, in point of vice, between lotteries and the common modes of gambling, was able to resist arguments which he could not. If lotteries were not immoral, then it was expedient to pass the bill now before the Senate. Its object is to establish schools from whence proceed the main pillars of our republic, virtue and knowledge, the source of individual respectability and happiness, and without which we may toil in vain to effect or render popular those mighty schemes of Internal Improvement which ennoble States and enrich individuals.

Virginia report on lotteries quoted; this lottery for a good purpose.

Mr. Joyner made a few remarks against the bill on the score of its immoral tendency, and the establishment of a bad precedent. He moved that on the passage of the bill, the Yeas and Nays should be called.

Joyner opposes bill on moral grounds.

The question on the passage of the bill at its second reading having been stated,

Mr. Leake rose to inquire whether his being a Trustee of the Institution, for whose benefit the lottery was intended, vested in him such an interest, as would render it improper for him to vote on the question.

The Speaker thought it did not.

The Yeas and Nays were then called and were as follows:

Yeas.—Messrs. Alexander, Baird, of Burke, Bullock, Burney, Blackwell, Beard, of Rowan, Beasley, Deberry, Elliott, Forman, Forney, Gray, Gilchrist, Hollomon, Hill, of Stokes, Hawkins, King, Locke, Leak, Love, McMillan,

Yea and nay vote.

McKay, Miller, Matthews, Pickett, Riddick, Roberts, Spaight, of Craven, Smith, Speight, of Greene, Sharpe, Seawell, Stokes, Tyson, Vanhook, Williams, of Martin and Ward.—37.

Nays.—Messrs. Boddie, Bell, Croom, Devane, Davenport, Gilliam, Hill, of Franklin, Hunter, Joyner, McDowell, Marsh, McDaniel, McLeary, Parker, Salyear, Sanders, Shewford, Sellers, Williams, of Beaufort, Wilson, of Camden, Wilson, of Edgecombe and Wasden.—22.

So the bill passed its second reading, and was then ordered to be read the third time. Mr. Hill, of Franklin, made an unsuccessful effort to lay it on the table. It passed its third reading and was ordered to be engrossed.

—*Raleigh Register*, Jan. 5, 1827.

10. FAILURE OF BILL TO ENCOURAGE SUNDAY SCHOOLS.

Monday Feb. 5, 1827.—Mr. King¹ presented a bill for the encouragement of Sunday Schools; which was read the first time and passed.

—*Senate Journal, 1826-27, p. 86.*

Feb. 7, 1827.—The bill for the encouragement of Sunday Schools was read the second time, and, on motion of Mr. Speight², of Greene, the same was indefinitely postponed.

Introduction of the bill in the Senate.

—*Senate Journal 1826-27, p. 92.*

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same; that from and after the passing of this Act, the Treasurer of the State shall be authorized to pay the following sums respectively.—

And be it further enacted, that wherever there shall be a Sunday School established in any one or more Counties of this State, the object of which is to instruct poor and indigent children in the art of reading and writing, the Treasurer is hereby authorized that when a certificate shall be presented under the signature of such school or schools, and signed by two respectable freeholders of such County to pay the sum of twenty five cents, for every child or indigent person, that they may certify as regular scholars of such institutions, out of the funds that are set apart for education; any law to the contrary notwithstanding.

Twenty-five cents appropriated for each poor child in Sunday Schools, to buy books to teach reading and writing.

The following entries by the clerk of the Senate are to be found on the above bill:

¹ Samuel King, IredeU.

² Jesse Speight.

In the Senate Feb. 5th, 1827, read the first time and passed.

Bill fails.

In the Senate Feb. 7th, 1827, read and on motion of Mr. Speight, of Greene, indefinitely postponed.

—*From Unpublished Legislative Documents, 1826-27.*

11. FAILURE OF ATTEMPT TO INCREASE LITERARY FUND.

Thursday, Feb. 1, 1827.—Mr. McKay, from the committee on Education, reported a bill to transfer the stock owned by the State in the Banks of Newbern and Cape Fear, and purchased since 1821, to the President and Directors of the Literary Fund, which was read the first time and passed. Bill introduced.

—*Senate Journal*, 1826-27, p. 75.

Friday, Feb. 9, 1827.—The bill¹ to transfer the stock owned by the State in the Banks of Newbern and Cape Fear, and purchased since 1821, to the President and Directors of the Literary Fund, was read the second time, and on motion of Mr. Hill, of Stokes, was indefinitely postponed. The yeas and nays on this question being demanded by Mr. Hill, of Stokes, are as follows. Yeas and nays.

For the indefinite postponement, are Messrs. Lawson H. Alexander, Cabarrus; Wm. W. Boddie, Nash; Thomas Blackwell, Rockingham; John B. Beasley, Tyrrell; Samuel Davenport, Washington; Edmund Deberry, Montgomery; Alexander Elliott, Cumberland; Benjamin Foreman, Hyde; Wm. Gilliam, Bertie; Alexander Gray, Randolph; John Gilchrist, Robeson; Charles A. Hill, Franklin; Edward R. Hunter, Gates; John Hill, Stokes; Micajah T. Hawkins, Warren; John Joyner, Pitt; Benj. R. Lock, Brunswick; Thomas Love, Haywood; Alex. B. McMillan, Ashe; Athan A. McDowell, Buncombe; Robert Marsh, Chatham; Stephen Miller, Duplin; Isham Mathews, Halifax; Michael McLeary, Mecklenburg; Wm. Montgomery, Orange; Joseph Pickett, Anson; Jonathan Parker, Guilford; Willis Riddick, Perquimans; Pleasant

¹ The Raleigh Register of Feb. 13, 1827, says that Messrs. Hill, of Stokes, Hill, of Franklin, and Seawell opposed the bill on the floor, while Messrs. Sneed and McKay advocated it.

B. Roberts, Surry; Richard D. Spaight, Craven; Samuel Salyear, Currituck; John M. Smith, Davidson; Jesse Speight, Greene; Elisha H. Sharpe, Hertford; Reuben Sanders, Johnston; John Sellers, Sampson; Henry Seawell, Wake; Josiah Tyson, Moore; Robert Vanhook, Person; J. O. K. Williams, Beaufort; Willis Wilson, Camden; Louis D. Wilson, Edgecombe; Joseph J. Williams, Martin; John Wasden, Wayne; Edward Ward, Onslow—yeas 45.

Against the indefinite postponement of the bill, are Messrs. Matthew Baird, Burke; Whittington Davis, Carteret; Samuel King, Iredell; James J. McKay, Bladen; Wm. M. Sneed, Granville; Martin Shuford, Rutherford; Montfort Stokes, Wilkes—Nays 7.

—*Senate Journal, 1826-27, p. 101.*

12. FAILURE OF STATISTICAL INFORMATION BILL.

Friday, Feb. 2, 1827.—Mr. Scott¹, with leave, pre- Bill introduced.
sented a bill to appoint a commissioner to collect statistical
information relative to this State, and to prescribe the
duties of said commissioner. The said bill was read the
first time and passed.

—*House Journal, 1826-27, p. 203.*

Monday, Feb. 5, 1827.—The bill to appoint a commis- Failure on second
sioner to collect statistical information relative to this reading.
State, and to prescribe the duties of said commissioner,
was read the second time, and, on motion of Mr. Boon²,
postponed indefinitely.

—*House Journal 1826-27, p. 209.*

¹ John Scott, Hillsborough.

² John Boon, Orange.

13. FAILURE OF BILL TO PROHIBIT TEACHING COLORED APPRENTICES.

Bill introduced.

Friday, Feb. 2, 1827.—Mr. King¹, with leave, presented a bill to repeal so much of the act, passed in 1762, as requires the master or mistress to teach or cause to be taught coloured apprentices to read and write. The said bill was read the first time and passed.

—*House Journal, 1826-27, p. 202.*

Failure on second reading.

Saturday, Feb. 3, 1827.—The bill to repeal so much of an act, passed in 1762, as requires the master or mistress to teach, or cause to be taught colored apprentices to read and write, was read, and, on motion, postponed indefinitely.

—*House Journal, 1826-27, p. 207.*

The bill in full.

A Bill to repeal so much of an Act passed in 1762 as requires the Master or Mistress to teach or cause to be taught coloured apprentices to read and write.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that the Master or Mistress of a coloured apprentice shall not hereafter be required to teach or cause to be taught his or her coloured apprentice to read and write, any law to the contrary notwithstanding.

Clerk's entries.

In House of Commons 2 Feb. 1827, read the first time and passed.

In House of Commons 3 Feb. 1827—read the Second Time and postponed indefinitely.

—*From Unpublished Legislative Records, 1826-27.*

¹ Joel King, Franklin.

14. ORGANIZATION OF LITERARY BOARD.

EXECUTIVE OFFICE, RALEIGH,
16th Jany, 1827.

At the above place and time, the first meeting of the "President and Directors of the Literary Fund" was held: First organization of the Literary Board; B. Yancey to draft report.
There were present the following gentlemen,

The President, H. G. Burton, Govr.

Chief Justice J. L. Taylor,

B. Yancey & Jno. Haywood, Esqrs.

On motion, Jno. K. Campbell was appointed Secty.

On motion, B. Yancey Esqr. was directed to draft a report to be presented to the Legislature, in pursuance of the Act of 1825.

Resolved that a warrant be drawn upon the Treasurer for the purchase of a book, in which a journal of the proceedings shall be kept.

The Board then adjourned.

—*From MS. Records of Literary Board.*

15. FIRST REPORT OF LITERARY BOARD TO LEGISLATURE, 1826-27.

EXECUTIVE OFFICE,
1st Feby, 1827.

Mr. Yancey submits report.

The Board met pursuant to adjournment, present,
The President and all the members.

Mr. Bartlett Yancey submitted the following report:.

Report of the President and Directors of the Literary Fund. In obedience to an act of the Legislature, passed at its last session, requiring the President and Directors of the Literary Fund of this State, "to make an annual report of all such sums of money as may belong to the said fund, with such recommendations for the improvements of the same, as to them may seem expedient," we have the honour to submit to the Legislature the following report:

From the appropriation made at the last session, the following sums of money have been received by the Public Treasurer, and pursuant to the act, the Board have caused a regular account of the same to be stated by the Treasurer.

Receipts for the year.

1. Dividends from the Bank of Cape Fear..	\$ 1,956.
2. Dividends from the Bank of Newbern....	884.
3. Tax on licenses & retailers from Sheriffs & Clerks	4,109.84
4. Do. imposed on Auctioners.....	741.04
5. Entry money for vacant lands.....	4,614.07½

Making in amount of receipts previous to the
1st day of Novr. 1826.....\$12,304.95½
Since which time a further sum has been received from the Cape Fear Navigation Company amounting to 420.00
Making the actual receipts up to this time, of \$12,724.95½

Of this sum no part has yet been vested in stock, as directed by the Act creating the Literary Fund, but it will be so vested so soon as the President and Directors shall ascertain, satisfactorily, the kind of stock it may be prudent and proper to purchase.

From the appropriation of \$21,090, which was paid by this State to certain Cherokee Indians for reservations secured to them by Treaty made by the United States, and for which this State has a fair claim upon the Equity and justice of the government of the United States, no part has been received, and the Board recommend to the Legislature to make another application to Congress for the same.

Application made for the payment of the Cherokee fund to the Board.

The Swamp and Marsh lands of this State which are vacant, having been pledged for the support of Common Schools, it might seem unnecessary to make further provision by law, prohibiting their entry, under the entry laws of the State. The Legislature, however, at its last session, deemed it expedient to pass an act forbidding its entry: but this act is limited, in its duration to the 1st day of Feby. 1827. To remove all doubt on this question, and to prevent litigation hereafter, it is respectfully recommended that the swamp and marsh lands of this State shall not hereafter be entered by any person as vacant land, but that the same shall be applied to the purposes of public education as heretofore directed. The value of Swamp land in this state is becoming more important every year, and though the Board have no accurate information upon which to form an opinion of the quantity now owned by the State, yet they have good reason to believe it is considerable; and if it shall hereafter be managed with caution and prudence will constitute a valuable portion of the Literary Fund. Experiments which have been made by individuals, in a few years past, show that most of it is susceptible of becoming the most fertile and valuable land in the State for grain, and no doubt remains that most of it may be drained by reasonable expense or labour.

Asks that swamp lands be not subject to entry, but devoted wholly to education.

Proportion of land owned by the State and individuals should be ascertained.

So far as the Board has been able to obtain information on this subject, the great difficulty in reclaiming this land, by the State, is, that a large portion of it is owned by persons who have entered it upon speculation, under the belief that at some future time it would be drained and become valuable. The proportion which is owned by individuals and the State, can only be ascertained by survey or examination, and preparatory to any plan for draining the same, it would seem expedient that these respective proportions should be known.

It is believed, when the information shall be received, inducements can be offered by the State, which will make the interests of persons owning lands of this description, adjoining lands belonging to the State, to afford their co-operation in so desirable a work.

Lands ought to be reclaimed.

Independent of the interest the State must take in advancing the value of its domain, other considerations of higher character and more importance enter into the subject.—These lands at present are unproductive and the direct cause of pestilence and disease to all the inhabitants in their vicinity. Should they, under the auspices of a wise and benevolent policy, become drained, the lands will be fertile and productive, the country will become healthy and inhabited by a dense, enterprising and industrious population, contributing to the annual growth and pride of the State.

Recommendations.

It is, therefore, respectfully recommended, that the Board of Internal Improvement be instructed to cause a survey and examination of such portion of swamp lands as they may find convenient the ensuing year; and that in the survey and examination they ascertain, as near as practicable, the portions of such land owned by individuals and the State, and the comparative value of each & report the same to the next legislature.

The moral duty of the government to establish schools.

The establishment of schools in which shall be taught the rudiments of a common plain education, is a moral

duty imposed upon all government. In a government like ours where the right of suffrage is general, with but few exceptions, it is essentially important to the preservation of public liberty: in the business & intercourse of society, it is necessary to protect the poor & ignorant from the deceits & wrongs of the cunning and unjust; and in the exercise of the right of suffrage, it is proper, that the citizen may read & think for himself, and, above all, it is essential to teach man his duty in this life & the high destiny which awaits him hereafter.

In this as well as every other branch of public instruction or improvement, it is important to make a good beginning. We should build the Literary Fund, intended as the basis of Public instruction, upon a good foundation. This can only be done by creating a fund of respectable amount, & vesting it all in an annual productive stock, relying on the interest to defray the annual expenses of the Schools. It is fortunate for our State that she has so managed her finances for a few years past, that she has it now completely in her power to set apart a portion of her funds to the aid of common schools, which may bring them into operation in two or three years, without disturbing the principal of the sum which may be pledged for that purpose. The State owns, at this time,

In the State Bank of No. Ca. 2762 shares of the
value of\$276,200
In the Bank of Newbern 1663 shares value of... 166,300
In the Bank of Cape Fear 2057 shares value of.. 205,700

Statement of the
stocks owned by
the State in various
companies.

Of this stock the dividends arising from that in the State Bank, are now applied to the ordinary expenses of the government, & those arising on the stock held in the Newbern Bank & Bank of Cape Fear, previous to 1821, have been set apart and are now applied to the purpose of Internal Improvement, & consist of

In the Bank of Newbern 1304 shares, of the
value of\$130,400

In the Bank of Cape Fear 1358 shares, of the
value of 135,800

The dividends on the remaining stock in the Bank of
Newbern & Cape Fear are pledged to the purposes of the
Literary Fund & Consist of

In the Bank of Newbern 359 shares, of the
value of\$35,900

In the Bank of Cape Fear 699 shares, of the
value of 69,900

Stocks recommend-
ed to be transferred
to the Literary
Fund.

It is respectfully recommended, that the stock now
owned by the State and purchased since 1821, and that
which may hereafter be acquired in the Banks of New-
bern & Cape Fear, be transferred to the President & Di-
rectors of the Literary Fund, for the benefit of common
schools.

Such a course is
wise.

This suggestion for the improvement of the fund for
common schools has not been made without due regard to
the revenue of the State, and its ordinary disbursements, &
no doubt is entertained but the stock may be appropriated
as recommended, without injury to either. The Board, are
aware, that it may be desirable hereafter, upon the expira-
tion of the charters of the present banks, either in extend-
ing those charters for a longer time, or in establishing a
new Bank, that the State should become a stockholder to
the amount of the stock it may then own in the present
banks; & they are fully impressed with the opinion, that
a proper & judicious management of the public finances
would require such a measure. The recommendation now
submitted by them, is not at all in conflict with such a
course. It will still be the property of the State, & sub-
ject to its direction & control; & it will be competent for
the State, either in a renewal of the charters of the
present banks, or in the creation of a new Bank, to secure
to the President & Directors of the Literary Fund the right

of subscribing to the capital stock of the Bank any sum which the Legislature may think proper, & no doubt can be entertained but that this would be done.

The benefit to be derived from an appropriation of the stock to the Literary Fund, is, that it would establish, at once, a permanent certain fund, upon which the State could rely, to carry into operation the system of schools in a short time. The annual interest to be derived from it, would be certain in amount, & after the system shall have commenced with such a fund, no reasonable fears could be entertained of their discontinuance. It would give confidence to the plan and inspire the whole community with a hope of its speedy commencement. It is hoped there are no grounds to believe the fund would not be prudently and faithfully managed. The President and Directors of the Fund are all amenable to the Legislature, & most of them can be removed at their pleasure. In common with their fellow citizens, they take and feel a deep interest in the prosperity of the institution committed to their care, and no doubt the State will, at all times, command their best efforts in its promotion.

We have the honor to be very respectfully,

(Signed)

H. G. BURTON, Prest.

JNO. L. TAYLOR,

B. YANCEY,

JAMES IREDELL,

JNO. HAYWOOD.

Having agreed to and signed this report, the Board then adjourned.

—From MS. Records of Literary Board.

16. LOTTERIES FOR ACADEMIES REFUSED.

The bill in favor
of Richmond
Academy.

A Bill authorizing the Trustees of Richmond Academy to raise the sum of ten thousand dollars by lottery.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same,

That the Trustees of the Richmond Academy be, and they are hereby authorized to raise by way of lottery the sum of ten thousand dollars for the erection of two academies, male and female, the purchase of books, and for other purposes connected with the welfare of their institution.

In Senate Jan. 3, 1827: Engrossed and examined.

Falls in the House.

In House of Commons Jan. 3, 1827: Read the first time and passed.

In House of Commons Jan. 4, 1827: Read the second time and rejected.

In House of Commons Jan. 5, 1827: Reconsidered and again rejected.

The bill in favor
of Spring Grove
Academy.

A Bill to authorize the Trustees of Spring Grove Academy in Anson County to raise the sum of five thousand dollars by way of Lottery.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Trustees of Spring Grove Academy in the County of Anson, be and they are hereby authorized and empowered to raise by way of lottery the sum of five thousand dollars to be appropriated and applied to the benefit of the said institution in such manner as the said Trustees or a majority of them may direct, and that the Trustees of said academy shall select from among themselves three proper persons whose duty it shall be to conduct and strictly attend to the drawing of said lottery.

Engrossed and examined.

¹ See debate on morality of lotteries on previous pages. This debate was instigated in the Senate by the Richmond Academy bill.

In Senate January 5th, 1827: Read the first time and passed. Failure in the Senate.

In Senate Jan. 5, 1827: Read and ordered to be laid on the table.

In Senate Jan. 30, 1827: Read the second time and ordered that the Bill do not pass.

1827

- 1. PROCEEDINGS LITERARY BOARD.**
- 2. "UPTON" ON EDUCATION.**
- 3. CAUSES OF EMIGRATION.**
- 4. GOV. BURTON'S MESSAGE ON EDUCATION.**
- 5. ASSEMBLY COMMITTEES ON EDUCATION.**
- 6. LEGISLATIVE INQUIRY INTO CONDITION OF LITERARY FUND.**
- 7. SMITH'S BILL TO REPEAL LITERARY FUND LAW 1825.**
- 8. DRAKE'S BILL TO REPEAL LITERARY FUND LAW 1825.**
- 9. LITERARY FUND CLERK BILL REJECTED.**
- 10. REPORT ON LITERARY FUND REPEAL BILL.**
- 11. DEAF AND DUMB INSTITUTION INCORPORATED.**
- 12. SECOND REPORT LITERARY BOARD.**
- 13. EDITORIAL COMMENT ON REPORT OF LITERARY BOARD.**
- 14. SPIRIT OF ECONOMY AND INDIVIDUALISM.**

1. PROCEEDINGS LITERARY BOARD.

EXECUTIVE OFFICE,
11th Feby, 1827.

The Board met, on this day,

Certain stock to
be bought.

Present, the President and all the members.

It was Resolved, That the Treasurer be authorized to purchase stock of the State Bank, at a rate not exceeding par, & stock of the Banks of Newbern and Cape Fear, at a rate not above \$85.

It was directed by the Board that letters should be directed to the principal Brokers in the United States, on the subject of purchasing the privilege granted to the Board of raising Fifty thousand dollars by lottery.

The Board then adjourned.

—*From MS. Records Literary Board.*

2. "UPTON" ON EDUCATION.

The following Extract is from a communication, which recently appeared under the signature of Upton, in the *Fayetteville Observer*:

Virtue will always
be found in the
train of education.

Virtue will always be found in the train of education. Without it, a republican form of government can not be supported—it cannot long exist. Virtue and patriotism make us a nation, have hitherto preserved us, and are essential both in our national councils and among the people. The fate of some republics should admonish us, that though our liberty is sure, and our Constitution immovable, still the purest liberty may be contaminated and destroyed by vice, the firmest Constitution be overthrown by faction. When the largest proportion of a nation is ignorant and vicious, the government must cease to exist; the laws cannot be executed where every man has a personal interest in screening and protecting the profligate and abandoned. Where these are unrestrained by the wholesome coercion of authority, they give way to every species of excess and crime; one enormity brings on another, until the whole community becoming corrupt, bursts forth into some mighty change, or sinks at once into annihilation. It would be an easy task to show, that in proportion as every country has been enlightened by education, so has been its prosperity; that the moral and social virtues cannot flourish where gross ignorance prevails—for without knowledge the heart cannot be good;—but where the heads and hearts of men are generally improved and cultivated, wisdom and virtue must reign, and vice and ignorance must cease to prevail. Virtue and wisdom are the parents of public and private felicity; vice and ignorance of public and private misery. A comparison of the savage that roams through the forest with the enlightened inhabitants of a civilized country, is a brief but impressive representation of the momentous importance of edu-

cation. If we regard the want of general knowledge as connected with the cause of religion and morality, its aspect is awfully solemn; but the other view of it, already alluded to, is sufficient to excite the keenest solicitude of the legislative body. If, then, the preservation of our unrivalled Constitution depends upon the intelligence and virtue of the people, how is it that North-Carolina has been so remiss in fortifying her part of the national edifice? The people of this State, with great propriety, have made it the express duty of the Legislature to encourage and promote useful learning, to establish schools for the convenient instruction of youth.—Where, then, are our Schools? establishments so intimately connected with the permanent prosperity of our political institutions as well as the local improvement of the State. Why has the general establishment of schools expressly directed by our Constitution been neglected so long? or, if not totally neglected, impeded in its operation by appropriations totally inadequate to the object? In most of the other States measures are adopted and funds provided commensurate with the importance of the subject, and education is universally diffused; while in N. Carolina (I speak it with shame) the same chilling and sluggish apathy that penetrates into and pervades all our public measures for improvement, is visible in the establishment of our public schools, a subject of the most imposing consideration. While other States are advancing rapidly in knowledge and wealth, their prosperity, to the most superficial observer of our peculiar political Constitution, is owing chiefly to the general diffusion of knowledge. In this State, genius and talents, instead of being nurtured with the refreshing dew of patronage, are allowed to wither in the frost of neglect. Our physical, moral and intellectual powers have never been unfolded, and never will be, until the people are redeemed by education from the state of ignorance to which they have been doomed by our penny-

Public schools intimately connected with the well being of our political institutions.

The establishment of schools greatly neglected.

Prosperity of neighboring States due to diffusion of knowledge.

Penury-saving
Legislators have
doomed the people
to ignorance.

Educational condi-
tions can only be
remedied by public
schools supported
by the State.

Results to come
from the estab-
lishment of the
schools.

saving Legislators. All the drawbacks of this State may be traced to this muddy source—want of general knowledge. Every weight that impedes her equal march with her sisters, results from the ignorance of the common people—common in their present degraded state, but, when loosened from the bonds of ignorance, they will constitute the pride and support, as they are now the “bone and sinew” of the country. All the inconveniences we labor under can only be remedied by enlightening the people, and this by the establishment of Public Schools under the patronage of the State. A subject of more importance never will be presented to the Legislature, and the call is loud upon all good and patriotic citizens. Let there be a union of all heads for the good of the State; let the people instruct their Representatives to inquire into the present state of the School Fund, and, if not adequate, extend it; let the appropriation be such as to carry the establishment of Schools into immediate execution; let them devise and support the best plan to disseminate learning throughout the State; all other methods are partial in their operation, circumscribed in their effects, and dependent on contingencies for their commencement.—But by this expedient, and the Schools being spread throughout the State, and aided by its bounty, will carry improvement within the reach of every citizen. If the people generally are instructed in those branches of education which are indispensably necessary to every person in his intercourse with the world, and to the performance of his duties as a useful citizen, they will then be better acquainted with our political Constitution and laws, better enabled to decide on those great political questions which ultimately are referred to the people; their minds will be developed, their affections purified, their manners softened, their views exalted, and better fitted for those high destinies which their Creator has prepared for them. When the moral and intellectual faculties of the people are improved, our Legislature will

be more enlightened, the clouds of local prejudice which surround us will be removed, we will understand our resources and advantages, and know how to improve and defend them; we will afford efficient and ample support to proper plans for internal improvement, operating with equal advantage to all, without the imputation of local partiality, and so regulate them as to obviate individual and local discontent. The character of the State will be properly represented in Congress, and Southern interests defended. We will take our station as a constituent portion of the nation and our rights will be protected.

—*Raleigh Register*, Oct. 26, 1827.

3. CAUSES OF EMIGRATION.

Lack of facilities
to market produce
one cause why peo-
ple leave the State.

In the *Register* of the 27th of June, above the signature of "A North Carolinian," I discovered an essay on Emigration, in which the writer attributes to idleness and dissipation, that poverty and want which is the cause of emigration. In many instances, doubtless this is the case, yet a far greater stimulus is given to the tide of emigration from a very different source, viz, the misguided policy of our Legislatures, and consequently that of perhaps a very small majority of the sovereign people. Our internal resources are great, and might be much greater, were our country more densely settled by an industrious yeomanry. And could we have an outlet for our produce, both vegetable and mineral, we might soon vie with the wealthiest of our northern sisters of the Union, in point of agriculture and commerce. But what is to encourage the industry of the farmer, the mechanic, the artisan, while the produce of his labor is lost for want of facilities to a market—or what is worse, will hardly pay its own freight there, and yet they behold in the minds of those whom they have chosen to legislate for them an indisposition to anything like endeavoring to better their condition, as it regards commerce by opening a communication with the world.*

Intolerant public
policy also respon-
sible.

And further, when free citizens, proprietors of the soil, and consequently partakers of the good and evil which result to the State at large, behold a political evil, and not only see but feel it†, and when they publicly and constitutionally assemble to instruct their Representatives to counteract its effect, and are threatened for that cause with persecution even for conscience sake‡, who should think strange, of those who have added much to the real wealth

* A central railroad.

† The introduction of slaves in the State.

‡ The Quaker bill of 1827.

and improvement of the State, whose forefathers for similar causes left the well cultivated fields of Old England, broke the interior of the wilderness and converted it into fruitful gardens, should be stimulated to break the wilderness of the West and leave their oppressors sole occupants of the soil.

A BRIEF REMARKER.

—*Raleigh Register*, 1827.

4. GOV. BURTON'S MESSAGE ON EDUCATION.

Little done in the way of internal improvements; sectional feelings have helped to hinder progress.

To create and sustain within our own State, one or more commercial depots, which, thro' lines of easy, direct and cheap inter communication, should connect the extremities of the country together; serving to keep the circulating medium, the very life-blood of commerce, in a continual and healthy flow throughout our own body politic—thereby destroying that injurious and unfortunate dependence upon our sister states (one of the principal causes alluded to above,) has been the ardent wish and anxious desire of every enlightened friend of the State. In the prosecution of this subject, much has been attempted, much has been expended, and but little has hitherto been done. In the conflict between the prejudices naturally flowing from sectional feelings and the correct reason of the case, the energies of the State have been almost palsied and her attempt rendered comparatively abortive. The want of systematic arrangement, and the failure to select one or more points, combining the greatest variety of interests, upon which the accumulated energies of the State might have been thrown with irresistible effect, has been the source of almost total ruin to our system of Internal Improvements.* * *

Swamp lands ought to be reclaimed.

Connected with this system, is a subject, in which it is expected every sincere friend of his country will take a deep interest. I refer to the draining and reclaiming of our swamp and marsh lands. This work has already been commenced, in a manner highly creditable to your predecessors. They authorized the Board of Internal Improvements to employ surveyors to make the necessary examination of certain swamps, whose locality was specified, preparatory to the commencement of this important work. Two gentlemen, Mr. Nash, highly recommended by Gov. Clinton for science and skill in his profession, and Mr. Brozier, whose qualifications as a surveyor are well known,

have been engaged during the greater part of the past Summer and Fall, in making surveys, drafting plats and collecting the information required. All of which will be communicated to you more at large. It is sincerely desired, that the result of the investigation which you may bestow upon the labours of these gentlemen, may be such as to induce you zealously to prosecute this work. Could these lands generally be reclaimed, the advantages resulting to the farming interest of the State, from the addition of such an immense body of arable lands, would be incalculable. To the benevolent and philanthropic no undertaking could be presented so acceptable as one proposing to diminish the quantum of human misery, by removing a fruitful source of disease, and converting a curse into a blessing. To the legislator it must be consoling to know, that while he, in this way, prevents the partial depopulation of his State, he is at the same time creating the most ample and permanent provision for the education of the poor of the rising generation. Did the subject hold no other advantage, this of itself would entitle it to deep attention and untiring exertion. For, upon the education of the generation now growing up, and those that will come after, depends, in a great measure, the continuance, in their purity, of our happy forms of government. It is at once the source of public and private respectability, the spring of social and individual happiness. Yet, with all the advantages which must incontestably flow from reclaiming the swamp lands and a system of free schools, they are both in danger of failing, from the failure of the provision upon which both were measurably based. In their aid, the last Legislature authorized the Board of Internal Improvements, and the President and Directors of the Literary Fund, respectively, to raise, by way of lottery, \$50,000, and allowed them to sell the privilege. After a fair experiment it has been found impossible to procure a purchaser. With you it remains to make such other and

Advantages to be derived from this work.

Lottery for the purpose of draining lands a failure.

further provision, as shall seem best calculated to attain objects so desirable. Whether the practice of some States, of granting exclusive privileges to the purchasers of lotteries sold by such States, by totally prohibiting the sale of tickets in any other lottery, would render the privilege offered for sale, by the State, more valuable, or whether any other system can be resorted to, are subjects which may deservedly claim your attention.

—*House Journal 1827-28, pp. 127-128.*

5. ASSEMBLY COMMITTEES ON EDUCATION.

Senate Committee on Education: Emanuel Shober, Senate committee.
Stokes; Nicholas J. Drake, Nash; John Joyner, Pitt;
Abner Franklin, Iredell; Nathan B. Whitefield, Lenoir.

—*Senate Journal*, 1827-28, p. 10.

House Committee on Education: Joseph D. White, House committee.
Bertie; Enoch Ball, Currituck; George Whitefield, Lenoir; Thos. W. Blackledge, Beaufort; Joseph Gillespie, Duplin; John T. Gilmore, Bladen; John C. Taylor, Granville; Nathan A. Stedman, Chatham; John M. Morehead, Guilford; Wm. J. Alexander, Mecklenburg; Nathaniel Gordon, Wilkes; Benjamin S. Brittain, Haywood; Robert H. Jones, Warren; H. J. G. Ruffin, Franklin; Clement Marshall, Anson; Malcolm Purcell, Robeson.

—*House Journal*, 1827-28, p. 133.

6. LEGISLATIVE INQUIRY INTO CONDITION OF LITERARY FUND.

Committee on state
of literary fund.

Saturday, Nov. 24, 1827.—On motion of Mr. Perry¹, Resolved, That the committee on Education be instructed to inquire into the state of the Literary Fund and report to this House at an early day in the Session.

—*House Journal*, 1827-28, p. 137.

¹ Robert Perry, Perquimans.

Wednesday, Dec. 5, 1827.—On motion of Mr. Blackledge,

Committee to in-
quire into state of
literary fund ap-
pointed.

Resolved, That a select committee be appointed to inquire into the state of the Literary Fund; and also to inquire whether any bond has been taken from the person entrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund, for the due and faithful performance of his duty.

Resolved, That Messrs. Blackledge, Adams, Lilly, Ruffin and Pool form this committee.¹

—*House Journal*, 1827-28, p. 157.

¹ Thomas W. Blackledge, Beaufort; Kinchen Q. Adams, Johnston; James M. Lilly, Montgomery; Henry J. G. Ruffin, Franklin; John Pool, Pasquotank.

Report of the com-
mittee presented.

Monday, Dec. 17, 1827.—Mr. Blackledge, from the select committee, to whom was referred the resolution directing them to inquire into the state of the Literary Fund; and also to inquire whether any bond had been taken from the person entrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund, for the due and faithful performance of his duty. reported that the committee had, according to order, had the subjects referred to them under consideration, and instructed him to report a bill to provide for the safe keep-

ing of the money appropriated to the Literary Fund, and to recommend its passage. The said bill was read, and, on motion, ordered to be printed, one copy for each member of the Assembly.

—*House Journal, 1827-28, pp. 187-188.*

THE REPORT.

The select Committee to whom was referred a resolution directing them "to inquire into the state of the Literary Fund; and also to inquire whether any bond had been taken from the person entrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund, for the due and faithful performance of his duty" respectfully report: That they entered upon the performance of their duties at as early a period as the existing inquiries into the financial affairs of the State then pending, would permit. Being entirely without data on the subject, the Chairman was directed by the Committee to address a letter to his Excellency H. G. Burton, as President of the board appointed for the management of the Literary Fund, desiring him to communicate such information on the subjects embraced in the resolution as would enable your Committee to perform the duties assigned them by the House. The Chairman, accordingly did address a letter to his Excellency asking of him to know: First, What was the amount of money constituting the Literary Fund? 2ndly, What investments had been made in stock of the various banks? 3rdly, At what time those investments had been made? But lastly and mainly, whether the President and Directors had taken a bond from the person entrusted with the safe keeping of the monies of the institution? This letter was delivered to his Excellency by the Chairman of the Committee; and in answer thereto on the 10th inst., the letter of which the following is a copy was received by the chairman and by him submitted to the consideration of the Committee.

Letter to the Governor.

Questions asked.

(Copy.)

Raleigh Monday Morning, Dec. 10, 1827.

No bond has been taken from the Treasurer of the Literary Board; no authority to take such a bond.

Sir, In answer to your letter of Saturday last, as chairman of a Committee of the House of Commons, enclosing a resolution of the House directing "An inquiry into the state of the Literary Fund, and whether any bond had been taken from the person intrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund for the due and faithful performance of his duty." I have the honor to state that no such bond has been taken by the President and Directors of the Literary Fund. The act of the Legislature of 1825 creating a fund for Common School directs that the Board shall cause to be kept by the Treasurer of the State, a regular account of all such sums of money as may belong to the said fund, the manner in which the same has been vested and applied and that they shall make annual report thereof to the Legislature. A reference therefore to the act shows that the board had no authority by law to take from the person entrusted with the safe keeping of the monies of the board, a bond for the performance of his duties; and that it would have been perfectly unnecessary it should have contained any such provision as the law makes it the duty of the Treasurer of the State to receive the monies appropriated for common schools; and that he shall keep a regular account of the same. The condition of the Public Treasurer's bond required by law "that he shall faithfully account for the public money of the State, and for his performing the several duties appertaining to the office of Public Treasurer." So that any duty required by law for the Treasurer of the State to perform comes within the condition of his bond. The annual report I presume will be made by the present board in a short time; but as it may be desirable on the part of the Legislature to know the true condition of the fund, before that report shall be received, I take this opportunity of giving an ab-

stract of the receipts of the two last years, and an account of the monies which have been invested in **Bank stock**, under the authority of the act.

Balance of the fund reported by the Treasurer

Nov. 1825	\$12,304.95½	Condition of the Literary Fund.
Agricultural fund transferred by law Feb. 1827	8,041.92½	
Dividends on Newbern Bank Stock.....	2,692.50	
Dividends on Cape Fear Navigation Company	420.00	
Tavern tax 1827	3,467.44	
Auction tax 1827	553.65	
Entries for land received 1827.....	4,300.35½	

Total receipts for 1826 and 1827....\$35,989.82½

Credit this amount by the following expenditures, viz:

For 78 shares of Stock of the State Bank at

par\$ 7,800.00

For Blank Books to keep accounts..... 5.50

7,805.50

And leaving a balance due the Literary Fund

from the Treasurer of the State of the sum

of\$28,184.32½

From this statement it will be seen that 78 shares of Bank Stock have been purchased for the fund, which have been regularly transferred to the President and Directors, and stands so transferred on the books of the State bank of North Carolina.

The above sum of \$28,184.32½ has been received by the late John Haywood as Treasurer of the State, and in addition to which sum, the Literary Fund has in the State Bank, the sum of \$17.50 for dividends in June last, and also the dividends lately declared on the stock.—the

amount of which will appear I presume in the report hereafter to be made by the board to the Legislature.

I have the honor to be, respectfully,

H. G. BURTON.

Letter to the Attorney General : questions asked.

On the fullest consideration which the Committee could bestow on this letter, there still remained some discrepancy of opinion among us as to the legal soundness of his Excellency's opinion. And in order to produce unanimity by getting advice from higher authority, the chairman of the Committee addressed a letter to J. F. Taylor, Esquire, the Attorney General of the State, who was deemed by the committee to be the constitutional adviser upon legal points connected with the interests of the State, desiring his opinion: First, whether the condition in the Treasurer's bond as Public Treasurer would cover any deficit in the Literary Fund? 2ndly, Whether it was the duty of the President and Directors of the Literary Fund to take a bond and security from the persons entrusted with the safe keeping of the monies constituting said fund? To this letter the Attorney General replied with great promptness and your committee annex a copy of his letter to this report as part thereof.

Dec. 10, 1827.

Dear Sir: You have done me the honor to ask my opinion whether the condition of the Treasurer's bond covers any deficiency in the Literary Fund and whether it was the duty of the President and Directors of that fund to take bond from the person entrusted with the safe keeping of their money, and I now submit to you the result of the little reflection, I have been enabled to bestow upon the subject since the receipt of your communication this morning.

Held that the ordinary bond of the Treasurer does not cover the Literary Fund.

Upon the first question, I am of the opinion that the condition of the Treasurer's bond does not cover any deficiency in the Literary Fund. That if any sum of money

has been set apart and transferred by the public treasurer to the President and Directors of the Literary Fund with their assent, such sum thereby ceased to form a part of the Public Funds covered by the condition of the bond; but became subject to the exclusive control of the President and Directors and if any part of it was left with the public Treasurer (an act on the part of the board not contemplated I think by the Legislature) the Treasurer thereby becomes their agent, but ceased to hold the money as Public Treasurer. But the mere report of the Public Treasurer that he held so much money belonging to that fund does not make such a transfer of it to the President and Directors as to prevent the liability of the Treasurer's securities; that before their liability ceases, there must not only be a declaration on the part of the Treasurer that so much has been set apart, but some acknowledgement of that fact on the part of the President and Directors.

Upon the second question I think it was not contemplated by the Legislature that a bond was to be taken from any one. They seem to have considered that the money appropriated to the Literary fund should remain in the Treasury until the appropriation should be made by the President and Directors to the purpose for which they were incorporated;—and that the money thus called for by them and the proceeds thereof should be subject exclusively to the control of the Board.

Law does not
require a bond.

Very Respectfully, Your obedient servant,
T. W. BLACKLEGE, Esq. J. F. TAYLOR.

On the comparison of the two letters, it will be apparent to the House, that there is a difference of opinion between his Excellency and the Attorney General, as to the responsibility for the Treasurer's bond for any deficit in the Literary Fund. Your committee decline giving any opinion when two such high authorities disagree. They lament that they have to state a deficit of twenty-eight thousand, one hundred and eighty-four dollars and thirty.

Disagreement be-
tween the opinions
of the Governor
and the Attorney
General.

two and a half cents, (\$28,184.32½), as appears by his Excellency's letter making a part of this report.

No censure of any one; bill recommended.

In conclusion your committee have laid all the facts connected with the subject before the house. They do not feel called upon to pass any censure upon those high public functionaries to whose custody and direction this sacred deposit has been entrusted. As to any expression of opinion which is unfavorable or otherwise upon that part of the subject they leave it to the Legislature. But for the purpose of preventing so unfortunate and disreputable a recurrence of circumstances, they recommend the passage into a law of the following

BILL

Bill to require a bond.

To provide for the safe keeping of the money appropriated to the Literary Fund.

Be it enacted &c. That it shall hereafter be the duty of the President and Directors of the Literary Fund to take bond and security from the person entrusted with the safe keeping of the monies of the institution, in a penalty double the amount of the sum or sums so entrusted for safe keeping.

Sec. 2d. And be it further enacted, that this act shall be in force from and after the ratification thereof.

All of which is respectfully submitted,

THOMAS WHARTON BLACKLEGE,

Chairman.

Rejection of the bill and report.

Endorsed on the above bill and report: In H. Commons 5-Jan.-1828, read and the report and bill unanimously rejected.

—*Unpublished Legislative Documents, 1827.*

7. SMITH'S BILL TO REPEAL LITERARY FUND LAW.

Tuesday, Dec. 18, 1827.—Mr. Smith¹, with leave, presented a bill to repeal an act, passed in the year 1825, entitled “an act to create a fund for the establishment of common schools.” The said bill was read, and, on motion, referred to the committee on Education.

House bill to repeal
Literary Fund
introduced.

—*House Journal, 1827-28, p. 191.*

¹Nathaniel G. Smith, Chatham.

A Bill to repeal an Act passed in the year 1825, entitled “An Act to create a fund for the establishment of Common Schools.”

House bill to repeal
Literary Fund..

Be it enacted by the General Assembly and it is hereby enacted by the authority of the same; That the above recited act be, and the same is hereby repealed.

—*Unpublished Legislative Documents 1827-28.*

8. DRAKE'S BILL TO REPEAL LITERARY FUND LAW.

Senate bill to repeal
Literary Fund law.

A Bill to repeal an Act passed in the year 1825, entitled "an act to create a fund for the establishment of common schools."

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that an act passed in the year 1825, entitled "an act to create a fund for the establishment of common schools," be and the same is hereby repealed.

Be it further enacted that the fund created by the above entitled act, and known by the name of the Literary Fund, shall constitute a part of the funds in the public treasury of the State.

—*From Unpublished Legislative Documents, 1827-28.*

Literary Fund re-
peal bill fails in
the Senate.

Saturday, Jan. 5, 1828.—Mr. Drake¹ presented a bill to repeal an act, passed in the year 1825, entitled "an act to create a fund for the establishment of common schools"; which being read the first time, on motion of Mr. Alexander², the said bill was indefinitely postponed.

—*Senate Journal 1827-28.*

¹ Nicholas J. Drake Nash.

² William J. Alexander, Mecklenburg.

9. LITERARY FUND CLERK BILL REJECTED.

Mr. Owen¹ presented a bill to authorise the President and Directors of the Literary Fund to employ a clerk; which bill was read the first, second, and third times and passed, and ordered to be sent to the House of Commons.

Senate passes
Literary Fund
Clerk bill

—*Senate Journal*, 1827-28, p. 117.

Received from the House of Commons, a message, stating that they have rejected the engrossed bill to authorise the President and Directors of the Literary Fund to employ a Clerk.

House rejects
Literary Fund
Clerk bill.

—*Senate Journal*, 1827-28, p. 121.

¹ John Owen, Bladen.

A Bill to authorize the President and Directors of the Literary Fund to appoint a Clerk.

Bill allowing Di-
rectors of Literary
Fund \$50 for a
clerk.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that the President and Directors of the Literary Fund be authorized to employ a Clerk, who shall be allowed a salary not exceeding Fifty Dollars, per annum, to be paid on the warrant of the President, and that the said sum be allowed for the last year.

—*From Unpublished Documents*, 1827-28.

10. REPORT ON LITERARY FUND REPEAL BILL.

Committee on Education asks rejection of bill to repeal Literary Fund law.

Monday, Dec. 31, 1827.—Mr. Morehead¹, from the committee on Education, to whom was referred the bill to repeal an act, passed in the year 1825, entitled “an act to create a fund for the establishment of common schools,” reported that the committee had had the said bill under consideration, and instructed him to recommend that the said bill be rejected. The report was read and concurred in.

—*House Journal*, 1827-28, pp. 221-222.

¹ John M. Morehead, Guilford.

The committee on Education to whom was referred the bill to repeal an Act passed in the year 1825, entitled an “Act to create a fund for the establishment of Common Schools,” have had the same under consideration and beg leave to report: That by the act of 1825 a fund for common schools is created, in which the youth of our State are to be instructed in the common principles of reading, writing and arithmetic:

Condition of the fund.

That under the provisions of that act, a fund to the amount of \$35,989.82½ cts. has already accumulated; that the sum with the dividends of Bank Stock and Navigation Stock, monies arising from licenses, granted to retailers and auctioneers; monies arising from entries of vacant land, and the vacant and unappropriated swamp lands; also the sum of \$21,090 which was paid by the State for Indian reservations, which it is hoped will be refunded by the United States; all of which are appropriated by said act to the fund for Common Schools, will create a fund sufficient to carry the rudiments of an English Education to the door of every cottage in this State.

The importance of the Act of 1825.

Your committee believe that the passage of that Act

must have been greeted by every Philanthropist, and friend of Civil Liberty, as the foundation on which was to rest the future happiness of our citizens, and the perpetuity of our political institutions. Ours is literally a country of laws; we acknowledge no superiority, but that voluntary tribute which is paid to personal merit: we inherit, in common, the birth right of equality, and it is equally the duty of every citizen to act and think for the common welfare. If the great mass of the people are permitted to remain in ignorance, their acts must be the result of caprice or delusion. They will have to receive their political faiths from those, whose opportunities have given them an extent of information, and superiority of understanding, unattainable by them whose misfortune it may have been to be poor.

Instead of forming their opinions, upon mature deliberation from the collected wisdom of our political sages, they will have to receive their information from others, whose interest it may be to dupe and mislead them.

Unfortunately for all countries, and more particularly for ours, there will be demagogues ever ready to excite the prejudices, and inflame the passions of the people to effect a result, directly the reverse of that, which would have been the dictate of a well-instructed judgment.

From the very nature of our civil institutions, the people must act; it is wisdom and policy, to teach them to act from the lights of reason, and not from the blind impulse of deluded feeling.

Your committee cannot but contrast the sullen discontent of an ignorant people, brooding over evils which do not exist, and wrongs never sustained, with the happy condition of a well-informed people, whose sound judgments discriminate between the declamatory froth of a demagogue, and the sound doctrines of political philosophy.

Condition of an
ignorant and a
well-informed
people contrasted.

Independent of any political influence that general education might have your committee are of opinion that any

State or sovereign, having the means at command, are morally criminal if they neglect to contribute, to each citizen or subject that individual usefulness and happiness which arises from a well-cultured understanding.

Duty of the State
to instruct poor
children.

Your committee believe that it is the duty and the interest of North Carolina to instruct that part of her population, who possess not the means of acquiring a useful education; and to afford every possible facility for the instruction of those, whose fortune places them beyond the necessity of charitable assistance. The ample means which she can command could not be more usefully or nobly employed.

Your committee cannot conceive a nobler idea, than that of the genius of our country, hovering over the tattered son of some miserable hovel, leading his infant but gigantic mind in the paths of useful knowledge, and pointing out to his noble ambition the open way by which talented merit may reach the highest honors and preferments of our government. Your committee unanimously recommend the rejection of the Bill. All of which is respectfully submitted,

J. M. MOREHEAD, Ch.

In House of Commons 31 Dec. 1827—read and unanimously concurred in.

—*Unpublished Legislative Documents, 1827.*

11. DEAF AND DUMB INSTITUTION INCORPORATED.

Preliminary Meeting. After the business of the Bible Society was disposed of, a meeting was held, agreeably to the notice given in our last *Register*, to take into consideration the expediency of establishing an Institution for the instruction of the deaf and dumb. The Rev. Dr. M'Pheeters was called to the Chair, and J. Gales acted as Secretary. Officers of the meeting.

On motion, it was resolved to establish a Society, under the name of "The N. Carolina Institution for the instruction of the deaf and dumb." A Constitution was immediately formed, subject to revision, and signed by the persons present. Committees were appointed to revise the Constitution; to make application to the General Assembly for an act to incorporate the Society; and for drafting a memorial to Congress, praying for a grant of land, such as has heretofore been given to institutions of the same kind in some of our sister States. Resolutions to incorporate a society.

His Excellency the Governor is chosen President of the Society. The other officers will be published hereafter.

The Rev. Dr. Caldwell, at the unanimous request of the meeting, has consented to deliver an Address in favor of this Institution, in the Commons Hall, on Wednesday evening next, at candle light. At the close of which, a meeting of the Society will be held. Address by Dr. Caldwell.

—*Raleigh Register*, Dec. 21, 1827.

Address by Dr. Caldwell. On Wednesday evening last, agreeably to previous arrangement, the Rev. Dr. Caldwell delivered a most interesting & appropriate Address in the Commons' Hall, on the subject of establishing an Asylum in the State, for the instruction of the Deaf and Dumb, nor did he fail to convince any, we presume, of the expediency and duty of contributing to the erection of such Institutions. Convincing address.

Story of the beginning of the work of Gallaudet.

It was ordered by Providence, whose afflictions are frequently blessings in disguise, that a gentleman of high standing in society, experienced the misfortune of having a part of his family afflicted by this calamity. Aided by the benevolent efforts of other individuals, he sent a person to Europe to attain a knowledge of the means there used to remedy this melancholy privation. Mr. Gallaudet, a pious, philanthropic gentleman, highly gifted and very liberally educated, undertook this labor of love. At London his reception was far from satisfactory, and he proceeded to Edinburg, where he was still more mortified. It seemed as if the friends of the human race there, wished to monopolize the merits of these praise-worthy institutions and confine their blessings to a very small sectional part of the globe. From Scotland he went to France, and there the doors of the schools were thrown open to him, and Abbe Sicard, the benevolent and liberal minded successor of Abbe de L'Eppe rendered him every facility for the acquisition of this language of Charity.

Visit of Mr. Clere.

A still greater benefit Mr. Gallaudet derived from his visit to France, for it induced Mr. Laurent Clere, one of the most intelligent of the Professors, to accompany him to America. And this was the first seed sown, whose matured growth are spreading their branches in every quarter of the Union. Our readers will be astonished to learn that in North Carolina, the number of persons who labor under the distressing disabilities attached to the want of hearing and speech, is estimated at 400.

Condition of the untaught deaf.

One of Mr. Clere's answers to queries respecting his State, before he was himself instructed, is very affecting—"I had a mind and did not think—I had a heart and did not feel." Persons suffering under these privations, before enlightened by education, appear to be terrified when death meets their eyes. They look upon the lifeless clay with horror, for they have no idea of futurity, no knowl-

edge of a superintending Providence, no hopes of meeting in another and a better world.

—*Raleigh Register*, Dec. 28, 1827.

Society Incorporated. An Act to incorporate the North Carolina Institution for the instruction of Deaf and Dumb.¹

Whereas certain individuals of this State have associated themselves together, under the name of the North Carolina Institution for the instruction of deaf and Dumb, for the purpose of establishing an asylum for the reception and instruction of such unfortunate persons in this State as may belong to that description; and they being desirous that this Legislature should extend to them the powers and privileges of a body corporate and politic; therefore,

I. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the present and future members of the North Carolina Institution for the instruction of deaf and dumb, be, and they are hereby constituted a body politic and corporate by the name and style of "The North Carolina Institution for the instruction of deaf and dumb;" and by that name shall have perpetual succession and a common seal; may acquire, hold and possess, sell and transfer estate, real and personal; may sue and be sued, plead and be impleaded, answer and be answered, and generally do, exercise and perform all the powers and privileges usually exercised and performed by bodies politic and corporate in this State.

II. Be it further enacted, That power is hereby granted to the members of the institution aforesaid to make and establish such byelaws and regulations for their government, and that of their officers and agents, as they may deem necessary and proper, the same being not inconsistent

¹ Introduced in the House, Saturday, Dec. 29, 1827, by Charles Fisher, of Salisbury. See *House Journal*, 1827-28, p. 216.

with the constitution and laws of this State, or of the United States.

—*Laws, 1827-28, chap. LXIV.*

Land grant asked. Officers and Directors. We have stated in a former *Register*, that a Society was formed in this City on the 18th ultimo for the purpose of establishing an Institution for the Instruction of the Deaf and Dumb of this State, since which, an Act has been passed incorporating the Society, and a Memorial been sent on to Congress, praying for a grant of land for the Institution, with a request that our Senators and Representatives in Congress will give their aid to the application. The following gentlemen have been appointed Officers of the Society for the ensuing year:

Officers.

Governor IREDELL, President
 Rev. Dr. CALDWELL, } V. Presidents.
 Dr. BECKWITH, }
 STEPHEN BIRDSALL, Treasurer.
 WESTON R. GALES, Secretary.

Directors.

Directors.—Charles Fisher, Wm. Davidson, Wm. Boylan, Rev. Dr. Wm. McPheteers, Wm. Peace, Wm. Hill, Benj. S. King, Wm. Robards, Wm. Gaston, Beverly Daniel, Bartlett Yancy, Alfred Moore, John L. Taylor, Gavin Hogg, Frederic Nash, James Mebane, John Beard, Jr., James F. Taylor, Charles Manly, Joseph Gales.

Editorial, Raleigh Register, Jan. 14, 1828.

12. SECOND REPORT LITERARY BOARD.

EXECUTIVE OFFICE,

Jany 3rd, 1828.

At this time and place a meeting of the President and Directors of the Literary Fund was held, present,

Gov. Iredell,

The Board.

Chief Justice Taylor,

B. Yancy and

Wm. Robards Esquires.

The following report was read and directed to be transmitted to the Legislature:

REPORT.

To the honble. The General Assembly of the State of N. C.

The President and Directors of the Literary Fund, in obedience to the duty imposed upon them by law, respectfully submit the following report:

The receipts of this corporation for the year ending on the 1st. Novr. last, have been,

The amount transferred from the Agricultural

Receipts for the year.

Fund in Feby. 1827 in pursuance of an act

passed in 1825\$ 8,041.92½

Dividend on Newbern Bank Stock 2,692.50

Do. " Cape Fear " " 4,209.00

Do. " " " Navigation Company. 420.00

Tavern Tax for 1827..... 3,467.44

Auction " 553.65

Land Entries 4,300.35½

Dividend on 5 shares of State Bank Stock be-

longing to the Literary Fund in June 1827 17.50

\$23,702.37

Add to this the amount due the fund on the

1st day of Novr. 1826, as heretofore reported. 12,304.95½

Making an aggregate of.....\$36,007.32½

Of this amount there have been expended and appropriated	
For the purchase of a blank book to keep the accts	5.50
For 78 shares of bank stock at par.....	7,800.00

Leaving a balance, on the 1st Nov. 1827 of..\$28,201.82½

Investment of
funds.

At a meeting of the Board on the 11th Feby. 1827, the Treasurer was directed to invest the amount then belonging to the Fund in stock of the different banks of this state, at certain rates designated by the Board. It appears from the foregoing account, that under these instructions, only \$7,800 was invested. Whether the neglect to invest the rest of the fund, arose from the severe illness with which the Treasurer was soon afterwards afflicted, or from his inability to procure the stock on the terms prescribed by the Board, or from any other cause, the Board have now no means of ascertaining.

Lottery to raise
\$50,000 a failure.

By an Act of the General Assembly, passed in the year 1826, the President and Directors of the Literary Fund were authorized to raise by way of Lottery, the sum of fifty thousand dollars; one half of which was to constitute a part of the Literary Fund, and the other half to be paid to A. D. Murphey Esq. to aid him in his intended publication of the History of North Carolina. The Board regret to state, that in their efforts to accomplish the objects of this act, they have been unsuccessful. Letters were addressed to the principal brokers in the different cities of the United States, who had been engaged in purchasing the privilege of lotteries, inviting from them proposals for the one authorized by this Act. To all these letters, answers were returned, declining, for various reasons, to make any proposals. The Board believing that this was the mode in which the Legislature intended that the authority to raise money by lottery should be exercised, and unwilling to incur the risk and responsibility of drawing a lottery under

their own superintendence, or that of agents appointed by them, without the special direction of the Legislature, have declined to take any further steps in this business. If the General Assembly should be still disposed to prosecute this plan, it is respectfully suggested that new provisions should be added to those contained in the act of 1826, and such as will readily suggest themselves to your honorable body, to inspire public confidence and prevent abuses and mismanagement in those who may be more immediately employed in the direction of the lottery. Upon this subject, as upon every other, this Board will cheerfully perform any duty and obey any instruction that you may prescribe.

The President and Directors of the Literary Fund, in common with their fellow citizens, deeply deplore the unfortunate defalcation in the Treasury Department, which has been recently developed and exhibited before your committee of Investigation. Much as it has affected them from its peculiar circumstances, so well calculated to excite their sympathy, they would deplore it still more deeply, if they could believe that it would have any influence in retarding the execution of the great plan, which your wisdom has conceived, and in the prosecution of which they are employed as humble instruments. In the accomplishment of this plan, the ardent wishes of every benevolent mind, the hopes of every intelligent patriot are enlisted. Virtue and intelligence are the only sure foundations of a republic, and in proportion as you enlighten the mind, you add new incentives to virtue, and diminish the temptations to vice. The Board are happy to believe, as the result of the anxious inquiries they have made on this subject, that there will be no necessity for any encroachment upon the Literary Fund to supply the temporary deficiency in the general funds of the State. They beg leave, in elucidation of this opinion, to offer the annexed statement, giving a prospective view of the fiscal concerns of the state for the ensuing year. From this it will be seen that all the ordi-

Defalcation in the treasury.

Literary fund safe.

nary expenditures of the government can be met without at all interfering with the specific appropriations heretofore made by the Legislature. While however they feel pleasure in presenting this prospect, they assure the General Assembly that they will, in directing investments of the money intrusted to their management take especial care so to act as not in the slightest degree to impede the ordinary disbursements or derange the ordinary operations of the Treasury Department.

Answer to criticism
of the management
of the fund.

The Board having no further recommendations, & no other General View to present at this time to your Honourable Body, might here close their report. But they feel constrained by a sense of duty to themselves, and of sincere respect for those under whom they hold their appointments, to advert to the unfortunate misapprehension which prevails among some members of your honourable body, as to the manner in which the duty of this board has been performed. Creatures of your will, called by you to the performance of responsible duties, without other reward than that which the Patriot feels, in the consciousness of contributing to the welfare of his country, with no possible interest to lead them astray, they had hoped, that even if they erred in judgment, the veil of charity would be cast over their errors. If they have received the censure of any one, they are willing to attribute it to that jealousy of persons entrusted with the management of monied affairs, which recent circumstances have tended so highly to excite; and to the want of that patient investigation of facts and of that cool process of reasoning, which the mind in its moments of irritation is unable to bestow; but which is absolutely necessary to bring it to correct conclusions. It is said, 1st. That the whole fund for common schools, amounting to twenty eight thousand dollars and upwards has been lost. 2ndly. That the President and Directors of this fund were censurable, for not taking bond from the persons entrusted with the keeping of their monies. And.

The charges all
unfounded.

thirdly, That the deficiency in this fund could not be covered by any bond, which has been, or should have been given by the late Treasurer as Treasurer of the State. The Board believe, that a little reflection, will convince every one, that none of these propositions are well founded. 1st as to the loss of the fund set apart for common schools.

Whether a loss has been sustained by any part of this fund or not, as it was mixed in the hands of the public Treasurer, with the general funds of the state, can only be determined, by ascertaining *when* the Defalcation in the Treasury occurred, and when the sums appropriated to the Literary Fund came into the possession of the Treasurer? It is well known that the act establishing this fund was passed at the session of 1825. The Board having hereunto annexed a statement, taken from the official records of the Treasury, by which it appears that the first monies transferred by the Treasurer under this act were transferred on the 31st October 1826. By far the larger part of the sum belonging to this fund has been received since that period. It seems to have been the opinion of your committee of Investigation, and that opinion appears to this Board to be supported by strong circumstantial evidence, that the defalcation in the Treasury, from whatever cause it proceeded, must have occurred before the 31st of October 1826, which was the close of a fiscal year. If this opinion be correct, it follows as a necessary consequence, that the money lost or withdrawn from the Treasury, must have belonged to some other than the Literary Fund, which then had no existence. The Board believe that this simple exposition and comparison of facts satisfactorily show, that whatever may be the deficiency in the Treasury, no part of the sum lost or abstracted can be properly chargeable to the fund, the Investment of which was entrusted to their care. They confidently, however, indulge the hope that the deficiency is merely temporary. and that the State will sustain no ultimate loss in any of

As to whether any
part of fund has
been lost.

Why no bond was taken.

its funds. Other views might be presented on this subject, which the Board, for the sake of brevity, forbear to urge; and they therefore proceed to remark upon the second proposition, that they ought to have taken bond from the person to whom they entrusted the monies appropriated to the Literary fund. Upon this subject, the Board can only say, that upon an attentive consideration of the act, to which they owe their existence, and which prescribes and limits their powers and duties, they could perceive no authority vested in them to require bonds from any one. The act while it makes the treasurer of the State, *ex officio*, a member of the Board, and directs him to keep all their accounts, gives them no authority to appoint a Treasurer of their own, nor to withdraw the fund from the Public Treasury, except for the single purpose of investing at their discretion in some productive stock, with a view to its accumulation, until it should become sufficient for the ultimate object of its appropriation. For this purpose, and this alone, the Board believe, they were constituted the special agents of the State. Would they not have been *justly censurable*, if, because the *legal* right to this fund was vested in them, for the sake of its more convenient management, they had withdrawn it from the hands of the person to whom was confided, by the choice of the immediate representatives of the people, the custody of the Public Money of the State, and had taken it into their own possession, or had given it in charge to one appointed by themselves and responsible only to them? As to the 3rd proposition, even if it were true in principle, the board can not understand how it is to affect them. If the true construction of the act of 1825 be as they have endeavored respectfully to show, that they had no authority to draw this fund from the Treasury into which it must originally be paid; but for the purpose of investing it into stock, it must necessarily remain in the hands of the Treasurer, as Public Treasurer, until such investment is made or di-

rected by them. If the Legislature whose province it is, have failed to make it a condition of his bond, that he should account for this money, they and not the Board, who had no authority to require any bond, are responsible. But as the Board believe the opinion here alluded to, to be erroneous, they briefly state that according to their views, the money appropriated to this corporation must be received into the Public Treasury and there kept until this Board in their discretion shall direct its investment; that the duty of safely keeping this money is as strongly enjoined by law upon the Public Treasurer as that of keeping any other money of the State; that by the condition of the bond of the Public Treasurer, as prescribed by the act of 1801, is, that he shall faithfully account for the public money and perform the several duties appertaining to his office as Public Treasurer, that the duty of keeping the Literary Fund was one imposed upon him in his official capacity as Public Treasurer; and that even if the bond of this officer had been given before such duty was assigned yet it has been determined by the Supreme Court, that when a public officer gives bond for the faithful discharge of his duties, the condition embraces future duties which may be superadded by the Legislature. The Board therefore have no doubt, that even if a loss had occurred in the Literary Fund by the default of the Treasurer before an actual appropriation and investment of the money had been made, such would have been embraced by the Bond of the Treasurer. And in this opinion they are happy to find that they have the concurrence officially expressed of the able Attorney General of the State.

The Board will prolong their report no further than to express their deep regret that this exposition of their views should have been rendered necessary, and to offer as an apology for the late period at which this communication is made, the long vacancy that existed in the Treasury Department, and the pressing duties which have devolved on

The bond of the Treasurer liable for the safety of the fund.

the present incumbent since his appointment to that office.

They have the honor to be,

With the highest consideration,

Your Obt. Servt.

J. A. IREDELL,

Prest. of the Literary Fund.

Raleigh, 5th Jany. 1828.

STATEMENT.

Probable condition
of treasury 1828.

A brief view of what the condition of the Treasury of this State will probably be on the 1st July and the 1st Novr. 1828.

Deposits in Banks 1827

In the Bank of Newbern.....	\$30,445.03	
In the State Bank.....	25,190.85	
In the Bank of Cape Fear.....	20,155.15	
In Bank Notes	80.00	
In Treasury notes fit for circula- tion	9,616.80	85,487.83

Bank Dividend receivable Decbr.

1827. In the State Bank, 2762

shares, 3 pr. ct. 8,286

In the New Bank, 1663 shares 3

pr. ct. 4,989

In the Ca. Fr. Bank, 2062 shares,

2 pr. ct. 4,124

In the State Bank, (L. F.) 78

shares, 3 pr. ct. 234

Div. on part of this stock of June

1827 17.50 17,650.50

The Dividends on stock of June,

is estimated to be about the

same as of Decbr. 1827.....

17,650.50

120,788.83

Supposed receipts for vacant land, 1828	4,000.00
Supposed receipts for Cherokee lands	5,000.00
To dividends of Ca. Fear Nav. Co	840.00

Receipts up to 1st July 1828.... \$130,628.83

General Statement of the Treasury as to probable receipts and expenditures up to 1st. July 1828.

General Receipts \$130,628.83

Probable disbursements to 1st July 1828

Legislature \$36,000

Executive Department 1,231

State Department 750

Treasury Department 1,250

Comptroller's Department 600

Adj't Gen. 200

Public Printer 450

Judiciary 1,200

Bal. Buncombe Turn. Co. 250

Div. on deferred St. Bk. Stock... 3,356

Pensions 1,200

Geological Survey 250

Supposed appropriation to be
made for the sale and finishing
the survey of Cher. lands 2,000

Other contingent expenses 1,000

60,537

70,091.83

Deduct for cash paid for disbursements since 1st. Novr. 1827 to 1st Jany. 1828 including salaries to Judiciary for the last fall and all arrearages 8,000.00

Deduct other appropriations for this session.

Extra printing supposed to be... 250.00

SECOND REPORT LITERARY BOARD.

Other charges	500.00	
Cape Fear appropriation.....	6,230.00	14,980.00

Supposed to be in the Treasury		
1st July 1828		\$ 55,111.83

To be applied to the use of Internal Improvements or the Lity. Fund.

Balance supposed to be in the Treasury 1st. July 1828.....		\$ 55,111.83
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Probable receipts after 1st. July & before 1st Nov. 1828.

From Sheriffs, for taxes.....	\$67,000	
Auctioneers' tax	450	
Tax on Newbern Bank	6,337	
Tax on Cape Fear Bank	5,938	79,725.00

Deduct from this amount the half year's expenses		\$134,836.83
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For Civil list from July to Nov. 1828		24,537.00
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Bal. in the Treasury 1st. Nov. 1828		\$110,299.83
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Of this amount there is appropriated for Lity. Fund

Of this amount there is appropriated for In. Imp.

In both Funds on 1st. Novr. 1828		78,696.50
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31,603.33

From this sum deduct for salary paid

Engineer in Decr. 1827	1,175	
Deduct for expenses till Novbr. ..	500	
Deduct for Half year's salary...	1,000	2,675.00

Balance in the Treasury 1st Nov. 1828.....		28,928.33
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The amount of the Literary Fund stated above is composed of the following items heretofore appropriated:

Amount on hand	\$28,184
Receipts for vacant lands in 1828.....	4,000
Dividends on Nav. Co. Stock 2 dividends...	840
Dividends on New Bk. Stock at Decr. 1827..	1,077
Dividends on New Bk. Stock at June 1828..	1,077
Dividends on Cape Fear Stock at Decr. 1827.	1,048
Dividends on Cape Fear Stock at June 1828.	1,048
Dividends on 78 St. Bk. Stock 3 pr. ct.....	234
Dividends on Bank stock in June 1827	17.50
	\$38,245.50

The amount of the Internal Improvement Fund is composed of the following receipts,

Amount now on hand	22,195
Receivable for Cherokee lands.....	5,000
Newbern Bank Stock dividends Decr. 1827..	3,912
Same Bank Stock dividends June 1828.....	3,912
Bank of Cape Fear dividends Decr. 1827....	2,716
Same Bank June 1828	2,716
	\$40,451

Statement of the different periods at which the money constituting the Literary Fund was received into the Treasury.

1825.

Oct. 31. Dividends on 16 shares Newbern Bank stock, declared January 1826	\$ 62.
“ Dividend on 205 shares Newbern Bank stock declared July 1826..	820.
“ Dividend on 235 shares of Cape Fear Bank stock declared Jany. 1826	705.

SECOND REPORT LITERARY BOARD.

Oct. 31.	Dividend on 417 shares Cape Fear	
	Bank stock declared July 1826..	1,255.
"	Tavern & Retailers' tax received this	
	day	4,109.84
"	Auction tax received this day	741.04
"	Land entries for the year ending this	
	day	4,614.07½
1827		
Febry. 5.	Agricultural fund transferred this	
	day	\$ 8,041.92½
Oct. 31.	Dividends on 359 shares of Newbern	
	Bank Stock declared in Jany.	
	1827	1,436.
"	Dividends on 359 shares Newbern	
	Bank stock declared in July 1827	1,256.50
"	Dividends on 699 shares Cape Fear	
	Bank stock, declared in Jany.	
	1827	2,079.
"	Dividend on 704 shares of Cape	
	Fear Bank stock declared in July	
	1827	2,112.
"	Dividends on 150 shares of Cape	
	Fear Nav. Company stock	420.00
"	Tavern Tax received this day	3,467.44
"	Auction Tax received this day....	553.65
"	Land entries for the year ending this	
	day	4,800.35½
		\$35,989.82½

The sum of \$17.50, the amount of a dividend declared in June 1827, on Five shares of State Bank stock, belonging to the Literary Fund, were never paid into the Treasury, but remain in deposit in that Bank to the credit of the President and Directors.

Having no other business before them, the Board then adjourned sine die. JNO. K. CAMPBELL, *Secretary.*

—From MS. Records Literary Board.

13. EDITORIAL COMMENT ON REPORT OF LITERARY BOARD.

We publish in our paper of today, two very interesting reports, the one of the President and Directors of the Literary Fund, and the other of the Board of Internal Improvements. The subjects embraced in these reports are fraught with interest to the whole community, for with their success is identified the prosperity of the State, both in her moral and physical improvements.—To cherish the education of her youth, and to promote the improvement of her territory, is the imperious duty and highest interest of the State. These are the first steps in ascending to that pinnacle of greatness which will consummate her independence, her honor and her happiness.

Importance of the work of the Board of Internal improvements and Literary Fund.

But however much we may feel concerned in the improvement of the face of the country, our feelings at present are more warmly enlisted on the subject of intellectual improvement as contemplated in the former of these reports. It affords us more than ordinary pleasure to behold in prospect, thro' that able report, at no very distant period, a system of education established, conformably to the design of the Constitution, suitable to the present condition of society; so that the poor, who form no small portion of our citizens, may be afforded the means of teaching their children to read at least the history of their own country, to understand the principles on which her free institutions are based, and the part they are to perform in supporting them.

More interested in intellectual improvement than in the improvement of the face of the country.

That view which is presented of the subject in the report, we humbly conceive, proceeds from a sound and enlightened judgment. We speak not the language of sycophantic flattery. The subject has too strong a hold on our feelings, to elicit only the high sounding, but empty expressions of compliment. We are led to these remarks from other motives than the mere paltry desire to conciliate individual favor—they flow from the deep concern

Compliments the report of the Literary Board.

Knowledge elevates men; quotes Bacon.

which presides in our bosoms for the general welfare of the State, of which we are proud to boast our citizenship. We long to see those views realized. It would contribute more to the preservation of our liberties than the erection of fortifications, or the establishment of armies. What are fortifications without patriotic and virtuous soldiers to defend them? and what are armies without enlightened officers to command them? Knowledge elevates man, and gives him a consciousness of the freedom of the mind, and enlarges the empire of its dominion. In this opinion we are not alone. Among the host of authorities that might be adduced, we mention only the expression of the eminent Bacon, in whose sentiment the enlightened will readily concur—He has said ‘That man is but what he knows.’ What is it that enlightens the understanding, corrects the judgment, regulates the affections, refines the taste, and improves the manners? What is it that raises man from the vilest barbarism to the highest state of refined civilization? It is knowledge. And the foundation for acquiring the most extensive knowledge may be laid in “the rudiments of a common plain education.”

A little learning not a dangerous thing.

And yet there are some who imbibe and propagate the stale sentiment of the poet, that “a little learning is a dangerous thing;” and some there are to whom knowledge is hateful for its own sake. With the latter class we wish to have nothing to do. “Owl-like beings, creatures of darkness,” let them rest in their favorite nooks, and delight themselves with the shades of night. But with the former class, whose organs fit them for the radiance of noon-day, we beg to make a brief remark. Indifferently educated men, say they, are more apt to have crude notions than men not educated at all. If it be meant by this, that a smattering in many branches of knowledge, without a competent acquaintance with either, is a little learning—is indifferent education, we have no hesitation in admitting the correctness of the sentiment, but if we are to under-

stand them as meaning that erroneous views of things is the result of being well taught in only a few of those things of which a knowledge may be acquired, then we deny the position. A man who "is ever learning," and yet never "knows anything as he ought to know it," will have his understanding confounded and his senses bewildered; but are the same effects likely to be produced by a small degree of knowledge properly obtained? Does the man who learns the English Grammar have a worse idea of the Latin on that account? or does a knowledge of Geography cause one to err fatally in his conjectures of Astronomy?

We think that a proper attention to this subject will set it in the most favorable light; and we do sincerely hope that the Legislature and every individual in the community will simultaneously put forward their strength in hastening that era of universal day—when all, from the son of the wealthy, who burns the college lamp, to the plough-boy, who carols his rustic notes in the field, may be enlightened. In such an event, North-Carolina will yet form as bright a star as any that sheds lustre on the American banner.

All should hasten
the day when every
son will be en-
lightened.

—*The Star*, Feb. 2, 1827.

14. SPIRIT OF ECONOMY AND INDIVIDUALISM.

The House of Commons rejected a resolution to place the Canova Statute of Washington on rollers, so as remove it easily from the capitol in case of fire. This statue was destroyed in 1831, by fire.

—*See House Journal, 1827-28, p. 169.*

The House of Commons rejected a resolution to place a Willard clock in Commons Hall.

—*See House Journal, 1827-28, pp. 173 and 174.*

The House of Commons refused to adjourn for Christmas day, but afterwards reconsidered and adjourned.

—*See House Journal, 1827-28, pp. 203 and 205.*

House of Commons rejected a resolution requesting the Secretary of War to have a railroad surveyed from Newbern to Raleigh and thence into the western counties.

—*See House Journal 1827-28, 258.*

1828

- 1. PLAN FOR THE EDUCATION OF TEACHERS.**
- 2. GOV. IREDELL'S MESSAGE ON EDUCATION.**
- 3. INTERNAL IMPROVEMENTS REMEDY FOR EMIGRATION.**
- 3. THIRD REPORT OF THE LITERARY BOARD.**
- 5. DOMESTIC INDUSTRY AND ECONOMY.**
- 6. ASSEMBLY COMMITTEES ON EDUCATION.**
- 7. SENATOR McFARLAND'S BILL TO EDUCATE POOR CHILDREN.**
- 8. HOUSE RESOLUTIONS ON EDUCATION.**
- 9. HOUSE REPORT ON EDUCATION.**
- 10. PROCEEDINGS OF LITERARY BOARD.**

1. PLAN FOR THE EDUCATION OF TEACHERS.

Calls attention to the plan of a correspondent.

We would call the attention of our readers, and especially of those who will compose a portion of our approaching General Assembly, to a well-written Essay which appears in today's *Register*, on the subject of Common Schools—a theme on which much has hitherto been said, but for the establishment of which nothing has yet been done (except the formation of a Literary Fund of some considerable amount.) for want of an approved, well digested Plan. The writer of this Essay offers a plan, which we think worthy of the consideration of the Legislature.

—*Raleigh Register*, Oct. 14, 1828.

To the Members of the approaching Session of the Legislature of North Carolina.

Everybody admits the importance of a system of education; plan for the education of the poor the principal question.

It is not deemed necessary in this enlightened age, to enter into an elucidation of the advantages which would result from a well regulated system of public education. All, or at least all who possess common intelligence, admit that nothing would more contribute to the respectability and prosperity of the State, than the dissemination of learning among its inhabitants. The principal question, then, to be considered, is the “modus operandi,” in what manner the blessings of education can be best disseminated among the common and poorer classes of society, and how the least amount may be expended, for this purpose, so as to produce the greatest possible benefit. As there has always existed a great variety of opinions on this subject, so we find a number of different methods pursued to attain the same desirable end. In some of the States, common Schools are supported out of the proceeds of what is called the School fund; in others, annual appropriations are made for this purpose by the Legislature. But, as yet, North Carolina may be said to have done almost nothing

in the advancement of so desirable an object as the establishment of such a system of public education, as might extend its advantages through all classes of society. It is true, she has established and liberally endowed a University, which is a source of much credit to her, but the expenses attendant on the reception of an education there, are such as to prohibit all, except the comparatively wealthy, from obtaining such a one as it affords.—It is also true, she has established a “literary fund,” but such is the slow process made in the increase of its amount, and the obstructions attending its application to the proposed object so great, that in all probability, many years will elapse before its beneficial results will be felt by the people. It is for these reasons that it is thought proper to submit to your consideration a Plan, which seems to hold out a speedy prospect of realizing the benefits of public education, and yet not be attended with such an increase of the public tax as to render it burdensome to the people. It is but just to remark, that the following plan was, in some measure suggested by the remarks of Mr. Potter, made a few years back in the Legislature. Indeed, it is a matter of some surprise, that the plan he then proposed, did not receive a more mature consideration from the Legislature, but it is supposed that it may be attributed to the violence of personal invective with which he clothed some part of his remarks, and thus, instead of calling the attention of the House to the real subject of his address, unnecessarily raised a prejudice against his proposition.

University expensive; Literary Fund small.

Plan suggested similar to that of Robert Potter.

It is suggested for the promotion of the object now under consideration, that you, at the approaching session of the Legislature, appoint a Committee to contract for a loan, to be made before the 1st Jan’y, 1830, on the credit of the State, of two hundred thousand dollars. Turn not away with alarm, at the mere mention of this large sum, but endeavor to restrain your feelings until you have been

Loan of \$200,000 to carry out plan.

informed how it is to be paid, and for what object, and in what manner it is to be applied.

Details of the plan;
repayment of the
loan.

There is little doubt but that this sum could be obtained from capitalists at the rate of three and a half or four per cent. interest per annum: but for the sake of not making our calculation too small, we will say four per cent. The interest, then of the two hundred thousand dollars proposed to be borrowed, would annually amount to eight thousand dollars, for the payment of which, together with the gradual liquidation of the whole debt, the following plan is proposed. That the payment of the original amount borrowed, \$200,000, be made at four different periods, regular intervals of time intervening, say \$50,000 in 1835; \$50,000 in 1840; \$50,000 in 1845; and \$50,000 in 1850: That to secure these payments an annual sinking fund of \$10,000 be established, to which such appropriations shall be added, as may be necessary from time to time, for the payment of the interest.

According to this plan, the payments would be provided in the following manner:

1st. Appropriated by the Legislature, 1st year,	
1830	\$ 9,000
2d. Otherwise provided, method will be after-	
wards explained	9,000
1st. As above—2d year, 1831	12,000
2d. As above	6,000
1st. As above—3d year, 1832	15,000
2d. As above	3,000

In the 4th and 5th years, 1833 and 4, the appropriation by the Legislature, will amount to \$18,000 by this means, against the year 1835, the annual interest, together with \$50,000 of the original debt will be paid.

During the five succeeding years of 1835, 6, 7, 8, and 9, the annual appropriation will amount to \$16,000, to provide for the payment of the interest of the loan now re-

duced to \$150,000, and the \$16,000 of the annual sinking fund.

By the year 1840, another payment of \$50,000 will be made, reducing the original debt to \$100,000, so that the annual appropriation for the next succeeding five years will amount to \$14,000.

The original debt being then, say 1845, reduced to \$50,000, the annual appropriation will be decreased to \$12,000, and thus in 1850, the whole debt will be liquidated.

If you have followed us through this tedious calculation, by which we have provided for the loan and payment of \$200,000, your curiosity will be excited to know in what manner we are to dispose of this large amount. We will endeavor to gratify this curiosity, and will be more than repaid, should you fortunately coincide with the views expressed. It is proposed that the \$200,000 borrowed as above stated, be placed in a Loan Office, established in the Treasury, and regulated by the usual banking system, or be deposited in some reputable bank, as your better judgment may direct. Although we do not profess to be well acquainted with the banking system and its profits, yet we feel little hesitation in saying, that by either of these methods it would secure a clear income of 6 per cent per annum, which would amount to \$12,000. It is farther proposed, that at the commencement of the summer session of the University of North Carolina, in 1830, twenty poor young men, who have prepared themselves for joining the Freshman Class, but whose parents are unable to assist them in the farther prosecution of their studies, be admitted into the University, and supported out of the income of \$12,000 above mentioned, that the young men shall present their recommendations to a committee appointed for the purpose of deciding the choice to be made out of all such as shall apply for admission, and that they (the twenty) shall only be admitted into the University

How the money is to be spent.

Twenty poor young men to be educated at University; to enter 1830.

To teach two or three years after graduation.

Twenty more poor young men to enter in 1831, and the same number each succeeding year; all to teach.

Further details of the plan.

under such restrictions and conditions as you may deem proper. It is especially recommended that one of these conditions shall be the requisition of a bond with good security from each of those admitted, that he should, after graduating, become the instructor of a School in some part of the State, for two or three years, on such terms as would be sufficient to provide him with wearing apparel and boarding, say when boarding is furnished, as is usual with such cases, a salary of \$100. In pursuance of the plan proposed, at the succeeding Commencement, in 1831, twenty other young men would be admitted into the University, under the same conditions and restrictions, and be supported in the same manner as the former, and so continue admitting twenty every succeeding Commencement. We feel no hesitation in asserting—indeed, we know from actual experiment, that a young man, entering the University under such circumstances as those above mentioned, could be well supported on one hundred and fifty dollars annually. In this calculation, the tuition, which, no doubt would be granted, free of expense, by the Trustees of the University, is not included, nor clothing, which, almost without exception, would be willingly furnished by a young man himself, or his friends. The expense, then, of twenty young men, supported at the University, will amount for the first year, 1830, allowing \$150 for each, to \$3,000. This amount deducted from the \$12,000 of annual income, leaves a balance of \$9,000, which will be appropriated, as shown in the statement above, to the payment of the interest of the loan, and the increase of the sinking fund for 1830. The succeeding year, 1831, the number of students educated out of the annual income of \$12,000 would be forty, whose expenses, according to the statement above made, would amount to \$6,000, leaving \$6,000 to be appropriated in the same manner as the \$9,000 of the preceding year. In 1833 the number of students would be sixty, their expenses

\$9,000—balance to be appropriated as mentioned in the statement, \$3,000. In 1834, the number of students would be eighty, whose expenses would take up the whole amount of the annual income of \$12,000. In this year, too, twenty of the students—those who first entered the University—would graduate, and proceed to the performance of the duties required by their bonds, and thus become instrumental, not only in disseminating the improvement they have derived from a liberal education, throughout the country, but would also be engaged in training up others, who, in their turn, would become students, graduates and instructors.

It will be seen, by a recurrence to the circumstances mentioned above, that after the year 1834, eighty *poor* young men will be constantly receiving their education in the University, twenty of whom will annually graduate—this is repeated here, in order that you may keep constantly in view the importance of the object under consideration.

After 1834 eighty poor young men will be in school each year; twenty leaving to teach.

We have thus endeavored, in as plain and concise a manner as possible, to exhibit to you the plan which has been the subject of our thoughts, and which, with all due deference, is now submitted to your better judgment. We trust, however, if the plan should not meet with your approbation, you will not entirely condemn it, until after a candid examination of the arguments with which we now proceed to support a measure which is deemed by us of vital importance to the future welfare and respectability of the State. The young men who now receive a liberal education in this State, are generally the sons of wealthy men. Necessity, therefore, does not require, and inclination seldom leads them, to undertake the tedious occupation of "teaching the young idea how to shoot." The consequence of which is, that in most cases, the instructors in our higher Schools and Academies are composed of Clergymen, who have, besides, their pastoral duties to perform, and can not, therefore, devote their time exclu-

Asks candid hearing for the plan; sons of wealthy men will not enter teaching profession.

Native teachers now often preachers and farmers also. Foreigners unsatisfactory.

sively to teaching. We recollect, and have now every reason to regret, that our preparatory education was received under an instructor, who followed the three employments of pastor of a church, farmer and instructor; and we have reason to believe such "Caleb Quotem" kind of men are found all over the State. In the alternative of not employing a clergyman as instructor, the people are compelled to depend upon foreigners, with whose character and qualifications they are entirely unacquainted, and who furnish, by the very circumstance of their being unsettled in their habitation, a prognostic of destitution of character, which too often turns out true. Were the plan of educating twenty young men annually adopted, if they were required to teach for two years—forty, and if the requisition extended for three years, sixty of these young men would be constantly employed in the schools throughout the State. Being natives of the State, depending entirely upon their own exertions for wealth and distinction, and furnished with recommendations according to their qualifications, by the Faculty of the University, the people might be constantly furnished with able instructors, under whose care they could confidently place their children. But if we have reason to lament the want of able instructors in the higher schools, with what language shall we express our regret at the degraded condition of the common schools throughout the State. If we visit one of what are, in the language of the country, called "Old Field Schools," we shall find a collection of children, most of whom are at that tender age, when

This plan would furnish many excellent native teachers.

Degraded condition of the primary schools.

"The mind impressible and soft, with ease
Imbibes and copies what she hears and sees,
And thro' life's labyrinth holds fast the clew
That Education gives here, false or true;"

yet over this interesting little band, we find placed, as pretended guardian of their morals, and assistant of their

first efforts to tread the path of learning, a man, who is distinguished alike for his ridiculous ignorance and vulgarity. Too indolent to obtain support in an active employment, too ignorant to be a proper judge of his qualifications, and too vulgar to know what constitutes decency and propriety in conduct—yet this man is he to whom parents are compelled to trust the formation of their children's character, or suffer them to grow up, their minds wild and uncultivated as the forests around them. Is it not the business of a Legislator to endeavor to alter such a state of things as this? Shall he, to whom the people have delegated their rights, make no exertion to improve a situation thus degraded? Certainly none will be backward in pursuing the path that will lead to a reformation, when it is once pointed out to them.

Condition of the primary schools should be remedied by the Legislature.

(To be concluded in our next.)

—*Raleigh Register*, Oct. 12, 1828.

To the Members of the Approaching Session of the Legislature of North-Carolina.

(Concluded.)

It was before stated, that the young men who were educated out of the fund appropriated for that purpose, should be required to teach for such a salary as would be sufficient for their boarding and clothing, say \$200. The common salary now paid to a well qualified instructor varies from three hundred to a thousand dollars—it is so much in fact as to prohibit entirely the poorer classes of society from sending their children to the higher schools.

Salary of State educated teachers to be fixed at \$200 a year.

Now when the whole amount to be paid would only amount to \$200, if the expense should be divided among the whole number of employers there would be none so poor but who might give to their children a good education. But, if, as is most probable would be the case, the salary should be paid by the wealthy part of the commu-

This low salary will enable every parent to pay the tuition charges, placing all on equality.

nity, and the school opened to the admission of all classes, whose bosom so cold as not to glow with pleasure at the scene which would be presented. Groups "of playful children just let loose from school" will be seen mingling together without any distinction of rank save that arising from the badge of merit which hangs on their heart. Blessed equality—happy country, when throughout the whole extent of the State all classes of children would be receiving from a well qualified instructor the elements of an education. A correct system of instruction would be diffused among the people. The little boys, animated with the hope of one day obtaining a collegiate education, would exert their opening faculties with all their ardor—emulation would be excited, and if all should not attain the goal of their desires, all would enjoy that improvement which results from the exercise of the talents with which a beneficent Creator furnished them. Besides, they would even obtain such an education as would qualify them to become respectable, if not distinguished members of society. And what is the price at which all this improvement may be purchased? A few thousand dollars annually paid for twenty years will render the blessing permanent—surely then, no further arguments would seem necessary to convince you as Legislators, of the propriety of securing, by the adoption of the proposed measure, such numberless advantages to the State. Should the plan we propose be adopted, it will be well calculated to exalt the character of the University, and thereby contribute much to the respectability of the State. It will be unnecessary to inform those who have been students of the University, that those who have to depend for their future subsistence and distinction entirely on their own exertions, generally compose the studious part of its members, and it is to them that we most commonly look for the men who are hereafter to adorn our State. It is true there are some creditable exceptions, but it may be stated as a general rule. If then

Plan would exalt
character of the
University.

this is the case now, when almost without an exception the students are furnished by their own parents with the means of support, how much more so will it be among those who will be entirely dependent on the State?

Each one, besides the desire he may feel to advance his own improvement, will think himself under an obligation to exert his talents to the utmost in return for the great privilege affording him of obtaining a liberal education. Great emulation will thus be excited among the charity students to excel each other. The wealthy class ashamed to see themselves left behind in a literary career would be roused to exertion, and thus our University would in reality become what it should be, a place of study and improvement. It seems proper that the reasons for dissenting from a part of Mr. Potter's plan should here be mentioned. He proposed (if we recollect right for his speech is not at hand) that buildings should be erected and a kind of military gymnasium established for the education of indigent young men. In the establishment of such a school a large sum would be required to erect the necessary buildings, a much larger amount would be requisite to supply appropriate philosophical apparatus, libraries and professors which are necessary in a plan of education. The buildings of the University are now sufficiently commodious to accomodate, without inconvenience, eighty more than the present number of students.

Teachers educated by the State will feel bound to render good service.

Present plan cheaper than Potter's plan.

The professorships are now filled by distinguished men, the philosophical apparatus is extensive, & the libraries are almost as large & well selected as could be desired for the purposes of education. Besides much time would elapse before the necessary buildings for the gymnasium could be erected and a regular system of education adopted, when by the means now proposed the good work can be immediately commenced, and before the gymnasium of Mr. Potter could begin its exercise, by following our system, the State would be enjoying the advantages derived therefrom.

If only twenty new students could be educated each year, this would cause competition for the scholarships and only the best need be selected.

Were there no other advantage proposed to the State than that which would necessarily follow the graduation of twenty young men annually from our University, we should think it amply sufficient to warrant the adoption by the Legislature of the proposed measure. There can be no doubt that if the system is once properly put in operation, hundreds of young men will annually make application to be admitted into the participation of its benefits. Such being the case, the committee appointed for that purpose could and would select out of the whole number of applicants, twenty who would be of distinguished talents.—What may we not expect from such young men receiving a liberal education under such circumstances? In the heat of imagination kindled by the thought, and in the warmth of our zeal for the cause we advocate it seems that we already listen to their bursts of eloquence at the bar of our courts or in our legislative halls, dwell with pleasure on their poetical productions, study their scientific researches, or hear of their patriotic efforts to better the condition of their fellow beings. The system of public education now proposed does not promise us a mere fleeting advantage: it is no momentary glance of sunshine which gilds every object then leaves us in utter darkness—no bubbling effervescence which dies away as soon as it is produced, but like the sun, which daily returns to warm, gladden and support us, its benefits will be as permanent as diffusive. Like the pure fountain which retains its transparency, and continues to bestow its delicious influence on surrounding objects, whether the sun is shining in meridian splendor, or tempests howl in the heavens—so this system, whether political factions shake the government to its centre, or peace sheds its gentle blessings over the land, will continue silently, slowly, but surely to produce its beneficial influence among all the future inhabitants of our State.

It may be asked how young men are to prepare themselves for admission into the University? Will it not be required to extend assistance to those who are preparing to enjoy the charity of the State, as those who are already partaking of its benefits? No, it is answered. Those who have observed the Academies and higher schools in our State, must know that there are many young men who do receive a preparatory education, but those whose parents, or those who have supported them thus far, are unable to extend their support through a collegiate course. Here then, the State should step in and lend a helping hand to assist the aspiring youth up the hill of education. If she does not, as is now the case, the young man without that improvement which results from passing through a regular course of education, studies a profession and enters the world as a quack-doctor or pettyfogging lawyer. Let it not be supposed that no one can become an eminent physician or attorney without receiving a collegiate education, is the idea intended to be conveyed. Facts would contradict such an assertion. But these eminent men will themselves admit that they form an exception to a general rule, upon which rule we can alone act with certainty.—What a great advantage then it would be to the State, how inestimable one to themselves, if the young men who, with such slender qualifications, enter upon the study of one of the learned Professions and drag out a listless life at its tail, should receive a regular education which is the stepping stone to higher attainments in legal, medical, or clerical knowledge.

State aid for preparing young men to enter University not needed.

Such, gentlemen, are the considerations on this subject, which it has been thought proper to present to you as legislators—as men in duty bound to your constituents, to the State at large, to support these measures which will contribute to their welfare. It is known to you, that session after session of the Legislature has passed away for many years back, without our being able to point to any measure

Each Legislature has passed for years without any measure enacted which has been of real benefit to the people.

of much real benefit to the State. The Legislature has met, perhaps spent thirty thousand dollars annually—passed a few private acts—altered some public laws—so that taking all in all we are compelled to admit, however shameful the admission may be, that it would have been as well perhaps, if not better (for then our money would have been saved) had the Legislature not convened for the last ten years. Why have a legislative part of government at all—why not let our Judges decide what may and may not be lawful—if the Legislature does not enter into the liberal consideration of those objects which are calculated to have an important bearing on the happiness and intelligence of the people? We fondly trust however, that you will dispel that listlessness which is satisfied with the name of legislator without possessing any of its true characteristics—that you will no longer take part in that political fraud by which the people are deprived of their money without receiving any real advantage in return—that you will lend your aid in giving dignity to the Legislature, by introducing to its consideration subjects of real importance and utility. Dispel then the idle fears (if any such you entertain) concerning your future election, and console yourself with the consciousness of acting properly, and conferring a blessing on the State, resolve to step boldly forward as the advocate of those measures which your own intelligence must inform you will be beneficial to yourselves, your constituents, and the inhabitants of the whole State. ,

Warning not to
heed the voice of
the demagogue.

“Great minds, like Heaven, are pleased with doing good,
Though the ungrateful subjects of their favor
Are barren in return. * * *”

We know that large appropriations made by the Legislature, for whatever purpose, are often used by political demagogues as bug-bears by which they hope to frighten the people so as to secure their own election.—But we

trust there are none such among you—that you are only actuated by those pure motives of patriotism of which none need be ashamed, and which take as their guide the intelligence, prosperity and happiness of the people.

There are yet other strong motives to induce you to adopt the measures which it is the object of the present communication to propose; and although these motives concern you more as individuals than as legislators, they are yet consistent with the purest dictates of patriotism. Should you in your wisdom adopt the measure, those who may hereafter derive benefit from it, will look up to you as their benefactors—the page on which the passage of a bill embracing this measure is recorded, will often be referred to, and the names of those who supported the measure deeply imprinted on the memory of those who enjoy its advantages, & by means of which they in future will become the ornaments of their country. Will it not be a subject of pleasure to you to think, that when death shall have deprived you of any longer participation in the councils of your country, still you will be remembered as one of its benefactors? Will not your bosom glow with patriotic pride, if, at some future period, you shall hear one of those who received an education by the assistance of your vote in passing the measure now proposed, delighting and convincing a Senate by the force of his eloquence or supporting the truths of the gospel with the wisdom and fire of a Paul? Will it be an object of no consideration to you, that not only the present generation, but thousands yet unborn are to receive the happy benefits of your wise legislation, should you support the proposed measure? Will it be said by you, that it is inconsistent with a patriot's wish, a patriot's duty, to become the means of dispelling the clouds of ignorance which hang over the State, and admitting the lights of education, which would continue to grow brighter and brighter, until their effulgence would shine on every inhabitant of the State?

Those receiving the benefits of such a plan will consider those benefactors who enacted it.

It remains for you to decide these momentous questions in a few weeks, and we fondly hope your decision may be such as to reflect honor on yourselves and secure innumerable advantages to the State for which you legislate. Much more might be said on this interesting subject, and a great many other views taken of it; but we fear we have already exhausted your patience; if so, we can only plead in excuse, our own zeal on a subject which appears to us so very important.

Oct. 6.

S.

Note.—In order to render the subject as little intricate as possible, it was thought best to omit in the statements of the payment of the loan, the interest which would accrue from the sinking fund, from the time it was appropriated, at different periods, until it was really paid, in the liquidation of the debt. It may be mentioned here that it amounts to the important sum of \$24,000.

—*Raleigh Register*, Oct. 17, 1828.

2. GOV. IREDELL'S MESSAGE ON EDUCATION.

In June last, I received from the proper officers of the Treasury department of the United States the sum of twenty-two thousand dollars, the amount of the appropriation made by Congress to reimburse what has been expended by this State in purchasing Cherokee reservations. This sum was immediately paid over to the Public Treasurer, and has been by him transferred to the Literary Fund, according to the provisions of the act establishing that fund.¹

—*House Journal*, 1828-29, p. 139.

¹ This is Gov. Iredell's only reference to education in his message of 1828.

3. INTERNAL IMPROVEMENTS REMEDY FOR EMIGRATION.

Question of internal improvements often before the Legislature.

State can not maintain her present position without improving her internal condition.

Commerce would increase tenfold; emigration would cease, and population and wealth would rapidly advance if a system of internal improvements were adopted.

The subject of opening and improving our outlets to the ocean, of removing obstructions in our rivers, and of providing, by canals or roads, for the more convenient transmission of our produce to market, has so often engaged the attention of the Legislature, that I feel, when I touch upon these topics, all the awkwardness of addressing you upon trite matters. Yet when I look at the situation of our State, I can not forbear urging upon you what has so often elicited the earnest recommendation of my predecessors. We now occupy, from our population and territory, an elevated position among the States of the Union. Our relative rank can not be stationary, nor can it be maintained without exertions on our part. Almost every State is calling forth its powers to improve its internal condition. Shall we alone, who have such resources, and who could bring them into action by so small a comparative expenditure, shrink from the adoption of the means which are promoting the prosperity of others and leading to their superiority? Let us, too, press forward in the career of Internal Improvement. Let us, too, leave for the benefit and gratitude of posterity, memorials of that wise policy which consists not in hoarding our money, but in applying it to useful and profitable objects. * * *

It were superfluous to dwell upon the happy effects on our prosperity, which would follow in the train of a judicious system of improvements, faithfully executed. A new life would be infused into every branch of industry; our agriculture would be relieved from a heavy burthen, which now oppresses it; our commerce would increase ten fold; the tide of emigration would be checked; and our population and wealth would advance with a rapidity equal to our most sanguine desires. Are we not prepared to commence such a system? Why should we delay? It

will require much time for its completion, and the necessary expenditures will be divided among several years. You will discover, from the Treasurer's report that we have a large available fund, not required for the ordinary expenses of Government, and not otherwise appropriated. What this sum can not supply, may be furnished by our credit. Every other State has resorted to loans for a similar purpose. The usual objection to loans, that it burthens posterity with a debt which we have contracted for our own advantage, does not here apply. The benefit will descend to our posterity with the burden, and will be more than a compensation. We are but tenants for life; the estate will be theirs forever; and it is but just that they should pay the greater part of what we may expend in its permanent improvement.

Funds now available; bonds could be issued.

—*From Governor James Iredell's Message to Legislature of 1828-29, House Journal, 1828-29, pp. 136 and 137.*

4. THIRD REPORT OF THE LITERARY BOARD.¹

To the Honorable the General Assembly of North Carolina.

The President and Directors of the Literary Fund, in obedience to the requisition of law, respectfully submit the following report.

Receipts for the year.

It appears from the report of the Public Treasurer, which has been already submitted to you, that during the last fiscal year the receipts of this corporation have been \$35,715.39

And that the disbursements consisting entirely of the purchase of stock in the State Banks of Newbern and Cape Fear have amounted to the sum of 33,640.00

Leaving a balance in cash in the hands of the Public Treasurer on the 1st day Nov. 1828, 2,075.39

To which should be added the balance, due from the late Public Treasurer on the 1st of November 1827 28,184.32

And the balance of the Agricultural fund on the 1st of November 1828 251.62½

\$30,571.33½

The amount of the Literary fund therefore on the 1st of November 1828 may be stated as follows:

Size of the fund.

Balance due from the last Public Treasurer.. \$28,184.32

Cash in the hands of the present Treasurer.. 2,075.39

Balance of Agricultural fund on 1st Nov. 1828 251.62½

¹ I have been unable to find this report in the records of the Literary Board. This report was found among the Legislative documents of 1828.

78 shares of the State Bank stock purchased before the present year at its par value...	7,800.00
204 shares of State Bank stock purchased during the last year, estimated at its par value	20,400.00
141 shares in the Bank of Newbern, estimated as above	14,100.00
50 shares of stock in the Bank of Cape Fear, estimated as above	5,000.00

Showing an aggregate of\$77,811.62½

It will be recollected that the Board in their last annual report contended and they thought successfully that no part of the deficiency in the Treasury should be chargeable to the Literary Fund. However that may be, the anxiety of the Legislature to procure this fund undiminished can not be doubted. The Board respectfully suggest as an easy mode of discharging the balance due to this corporation, which as above stated amounts to \$28,184.32, that the Public Treasurer should transfer to the President and Directors of the Literary Fund, Bonds now in possession and taken at the sale of the late Treasurer's estate, the principal of which shall amount to that sum. As these bonds bear interest from their date, the Fund by this arrangement will sustain little loss from the suspension of so large a portion of its capital during last year. The Board have no other recommendation to make at this time, except to urge a steady perseverance in the plan which is now in operation and which promises at no very distant period to realize the benevolent and patriotic expectations of those with whom it originated.

Nothing lost by the shortage in the treasury.

Fund will soon be large enough to establish schools.

I have to be in behalf of the President and Directors

With just consideration, your obedient servant,

JAS. IREDELL,

Pres. Ex-Officio.

Raleigh, Dec. 1828.

5. DOMESTIC INDUSTRY AND ECONOMY.

Members of next
Legislature to wear
homespun.

Legislative.—* * On motion of Mr. Jones, of Rowan, a resolution has been adopted by the House of Commons, recommending to the members of the next Legislature to appear clothed in Homespun, for the purpose of encouraging domestic industry and promoting a spirit of economy in our State.

—*From Legislative Report, Raleigh Register, Dec. 16, 1828.*

6. ASSEMBLY COMMITTEES ON EDUCATION.

Senate: James Mebane, Orange; Henry J. G. Ruffin, Senate committee.
Franklin; Hardy B. Croom, Lenoir; Thomas T. Hunt,
Granville; Abner Franklin, Iredell.

—*Senate Journal, 1828-29, p. 8.*

House: Josiah McKeil, Chowan; John Pool, Pasquo- House committee.
tank; Thomas W. Blackledge, Beaufort; Josiah O. Wat-
son, Johnston; R. B. Pierce, Halifax; Wm. J. Branch,
Franklin; Luke R. Simmons, Columbus; William L. Hale,
Brunswick; Thomas Boykin, Sampson; Malcolm Purcell,
Robeson; Nathaniel G. Smith, Chatham; Frederick Nash,
Hillsborough; George C. Mendenhall, Guilford; William
McLean, Cabarrus; David L. Swain, Buncombe; Bartlett
Shipp, Lincoln.

—*House Journal, 1828-29, p. 143.*

7. SENATOR MCFARLAND'S BILL TO EDUCATE POOR CHILDREN.

The legislative history of this bill is as follows:

Introduction of the bill in the Senate.

Friday, Nov. 21, 1828.—Mr. McFarland¹ presented * * a bill for the education of the poor children of the State of North Carolina; which bill was read the first time and passed; and * * was, on motion of Mr. McFarland, referred to the committee on Education, and, on motion of Mr. Alexander², ordered to be printed, one copy for each member of the Legislature.

—*Senate Journal, 1828-29, p. 9.*

¹Tryam McFarland, Richmond.

²Lawson H. Alexander, Cabarrus.

Journal record of committee report.

Monday, Dec. 8, 1828.—Mr. Mebane,¹ from the Committee on Education, to whom was referred a bill to provide for the education of the poor children of North Carolina, reported the same without amendment,² and the bill was made the order of the day for tomorrow.

—*Senate Journal, 1828-29, p. 38.*

¹James Mebane, Orange.

²This entry on the Senate Journal does not correspond with the written (unprinted) report of the committee. The committee recommended the indefinite postponement of the bill.

Bill in committee of the whole.

Friday, Dec. 19, 1828.—The Senate entered on the orders¹ of the day, and proceeded to consider the bill for the education of the poor children of the State of North Carolina; when, on motion of Mr. McFarland, the Senate

¹Not taken up on December 9 as first agreed.

resolved itself into a committee of the whole on said bill, Mr. Hinton² in the Chair; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Hinton reported that the committee of the Whole House had instructed him to report the bill for the education of the poor children of the State of North Carolina, with an amendment, to-wit: to strike out the first section of the bill. The Senate proceeded to consider the report of the committee of the Whole, and the question to concur in the proposed amendment being stated, on motion of Mr. Shober,³ the bill together with the amendment of the committee of the Whole, was indefinitely postponed.

Bill and amendments indefinitely postponed.

—*Senate Journal, 1828-29, p. 70.*

² Charles L. Hinton, Wake.

³ Emanuel Shober, Stokes.

In the Senate, Nov. 21st 1828.—Read the first time and passed and on motion of Mr. McFarland referred to the Committee on Education, and on motion of Mr. Alexander, ordered that it be printed one copy for each member.

Clerk's entry on the bill.

A BILL FOR THE EDUCATION OF THE POOR CHILDREN OF NORTH CAROLINA.

The bill.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by authority of the same, that from andand annually thereafter, the Public Treasurer shall hand over to the County Trustee of each county in this State the portion of the public money, which may be coming to each of their respective Counties from the Literary Fund, which has been set apart by the Legislature of this State for Education; and that each County shall be entitled to draw from said fund an amount agreeable to the population and taxa-

Proceeds of Literary Fund appropriated.

Distributed to counties in proportion to population and taxation.

tion of said County; and on payment to each of these respective sums the Treasurer shall take bond with good Security, payable to the Governor, in double the amount paid said Trustee, for the faithful performance of his duty: And further, the Treasurer of this State shall take a receipt for the amount paid to the Trustee of each County, which shall be a good voucher and allowed him in his annual settlement.

Commissioners to be appointed in each Captain's district to ascertain number of poor children.

Be it further enacted, that at the first County Court held in each County in this State after..... it shall be the duty of each and every County Court in this State, and annually thereafter, to appoint two or more discreet persons as Commissioners in each Captain's District of said County, whose duty it shall be to ascertain the number of poor children in each of said Captain's district who are without the means of paying for their Education; and said Commissioners thereon shall subscribe or cause to be sent said poor children to any school in five miles distance from the place of residence of said child or children, if the situation will admit; and it shall be the duty of said Commissioners to pay for the tuition of said children, and take a receipt from the Teacher or Trustee of said school or schools for the amount paid; specifying the name of each person and the amount of tuition, and the length of time: and the said Commissioners, appointed as aforesaid, may call at any time during the year for payment from the Trustee for the amount which is due them for payment of tuition: *Provided* said amount does not exceed the amount set apart for each County.

Commissioners to pay tuition of poor children.

Commissioners to give bond.

Be it further enacted, that said Commissioners shall give bond in double the sum, payable to the County Trustee, for their faithful performance.

Be it further enacted, that no child or persons educated shall be paid for any unreasonable time; and that no commissioner shall pay for forwarding the education of any

person, further than Reading, Writing, English Grammar Course of study. and Arithmetic.

Be it further enacted, that the amount now on hand, exclusive of Bank or other Stock, shall be divided the ensuing year among each County.

And be it further enacted, that the Commissioners' annual report to the Trustee of their County, and the Trustee to the Treasurer, and the same to the Legislature of said State, a full and fair Copy of their proceedings. Reports to Legislature.

COMMITTEE REPORT ON ABOVE BILL.

The Committee to whom was referred "A Bill to provide for the education of the poor children of North Carolina" Report, that they have had this Bill under their consideration, and notwithstanding they approve its provisions, yet they are of opinion that the disposable part of the fund denominated the literary fund is at this time, too small to be distributed in the different counties of this State, and produce any valuable effect, they therefore beg leave to return said Bill to the House, and recommend that the further consideration thereof be postponed indefinitely. Fund too small. Recommends postponement.

Respectfully submitted,

JAMES MEBANE, *Chairman.*

In Senate December 19th 1828. Taken up and on motion of Mr. McFarland ordered to be committed to a committee of the Whole House, and reported therefrom by Mr. Hinton with an amendment, and on motion of Mr. Shober the Bill together with the amendment was postponed indefinitely. Clerk's entry on the bill.

8. HOUSE RESOLUTIONS ON EDUCATION.

House resolution
to require report
of funds of the
University.

Tuesday, Nov. 25, 1828.—Resolved that the Committee on Judiciary enquire what further provision ought to be made by law in order to make it the duty of the Trustees of the University to make an annual report to the Legislature of the State and condition of that institution, the value of any property they may receive from individuals by donation or otherwise, the property either real or personal which they may recover by virtue of the laws now in force vesting certain escheated property in them, how much they have recovered, how much they have sold, what it sold for, in what way they have disposed of it, what property remains on hand in money or otherwise, and that the Committee report by bill or otherwise.¹

Referred to the
Committee on
Education.

The question to concur with the reference of said resolution was disagreed to; and, on motion of Mr. Fisher,² it was referred to the Committee on Education.

—*House Journal*, 1828-29, p. 153.

¹ Introduced by Abner N. Vail, of Washington.

² Charles Fisher, Salisbury.

House resolution
about educating
poor children.

On motion of Mr. Barnhardt,¹

Resolved, That the Committee on Education be instructed to inquire into the expediency of appropriating a part of the Literary fund for the education of the poor and indigent children in the several counties in this State, and that they report a plan to carry the same into effect; either by bill or otherwise.

—*House Journal*, 1829-29, p. 196.

¹ Introduced by John C. Barnhardt, of Cabarrus, Dec. 15, 1828.

9. HOUSE REPORT ON EDUCATION.

Saturday, Dec. 27, 1828.—Mr. Nash,¹ from the Judiciary² Committee, to whom were referred certain resolutions requiring them to inquire what further provision ought to be made by law, in order to make it the duty of the trustees of the University to make to the Legislature an annual report of the funds of that institution, and of its situation; and also to inquire into the expediency of appropriating a part of the Literary Fund for the education of poor and indigent children in this State, reported that the committee, on examining the laws heretofore passed on the subject embraced in the first resolution, find that they are amply sufficient, and that further legislation on the subject is unnecessary; upon the second resolution the committee had turned its attention, and instructed him to ask that they be discharged from the further consideration thereof. The question to concur with the report was determined in the affirmative.

Laws sufficient to require reports from University; asked to be discharged from consideration of the question of educating poor children.

—*House Journal, 1828-29, p. 232.*

¹ Frederick Nash, Hillsborough.

² This is evidently a mistake, as both resolutions were referred to the Committee on Education.

MR. NASH'S REPORT.

The Committee on Education to whom was referred certain resolutions requiring them to inquire what further provisions ought to be made by law in order to make it the duty of the trustees of the University to make to the Legislature an annual report of the funds of that institution and of its situation; and also to enquire into the expediency of appropriating a part of the Literary Fund for the education of poor and indigent children in this State. Having had the same under consideration, report

No legislation needed to require reports from University.

Literary Fund too small to enter on extensive system of education; hope time will soon come when poor children can be educated.

That upon examining several Acts of the General Assembly heretofore passed upon the subject embraced in the first resolution, they find that the law has already made ample and sufficient provisions and that no further legislation on the subject is necessary. Upon the second resolution they would report that in their opinion the fund set apart for literary purposes is yet too small to justify the Legislature in entering upon an active and extensive system of education. They hope that the time may come when those who sit in the seats now occupied by them will have the high gratification of assisting in expelling from our country that moral and intellectual darkness which now broods over it, when the children of the poor and indigent, shall equally participate with those of the wealthy in all the blessings of Civil Government. This is a subject of deep interest to us all and upon which your Committee have reflected with much anxiety;—grateful for that portion of education with which they have been favoured, they are anxiously desirous that others shall enjoy the same blessing. And while they deplore the necessity of still delaying the great and good work, they cordially and fervently unite in the prayer that a kind Providence will hasten the time when literary, moral and religious instruction shall pervade our country,—when the portals of science shall be thrown open to the child of the poorest and most indigent of our citizens,—when all shall feel the fostering care of our common country. They pray to be discharged from the further consideration of the subjects referred to them.

All of which is respectfully submitted.

F. NASH, *Chm.*

—*From Unpublished Legislative Documents, 1828-29.*

10. PROCEEDINGS OF LITERARY BOARD.

A meeting of the President and Directors of the Literary Fund was held at the house of Chief Justice Taylor on the 18th day of September 1828

Present

JAMES IREDELL, *Gov. & Prest.*

Chief Justice TAYLOR, {
WM. ROBARDS, *Treasr.* } *Directors.*

The Treasurer reported that he had since the 1st day of July last purchased for the Literary Fund one hundred and forty one shares of Newbern Bank Stock at Eighty per cent. Fifty shares of Cape Fear Bank Stock at Eighty per cent and five shares of State Bank Stock at Ninety per cent and that there was still a balance in his hands belonging to the Literary Fund and ready to be invested—whereupon it was Resolved that the purchases of stock now reported by the Treasurer be confirmed by this Board, and that he be directed to vest in stocks of the said Banks at the rate above mentioned to wit Newbern at Eighty, Cape Fear at Eighty and State Bank at Ninety per cents, the remainder of the money belonging to the Literary Fund or so much as can be vested without detriment to the general operations of the Treasury of the State.

The Board then adjourned.

—*MS. Records Literary Board.*

1829

- 1. X's OPEN LETTER AGAINST SCHOOLS AND INTERNAL IMPROVEMENTS.**
- 2. DR. CALDWELL ON OPPOSITION TO TAXATION.**
- 3. GOV. OWEN'S MESSAGE ON EDUCATION.**
- 4. KINNEY'S "PLAN OF PUBLIC SCHOOLS."**
- 5. COMMITTEES ON EDUCATION.**
- 6. McFARLAND'S BILL TO EDUCATE POOR CHILDREN.**
- 7. LOAN ASKED FOR EDENTON ACADEMY.**
- 8. WHAT OTHER STATES ARE DOING FOR COMMON SCHOOLS.**
- 9. NEGLECT OF THE PUBLIC LIBRARY.**

1. X's OPEN LETTER AGAINST SCHOOLS AND INTERNAL IMPROVEMENTS.

To the members of the approaching legislature:

What need have we of additional Roads and Canals? Have we not enough of them now? Cannot a man go from place to place, whithersoever he will without obstruction? and what more could he do, were the whole State cut up into roads and by-paths? * * If a person can not find his way, as things are, let him make use of his tongue and inquire. But we must forsooth have better ways of getting our produce to market. The present accommodations suited well enough our fathers, and they became rich in their use; and it is quite doubtful if, with greater facilities, we should be any better off an hundred years hence. I trust your wisdom will be, as your wisdom has been heretofore, decidedly against innovations and alterations, under the specious disguise of improvements.

No need of more roads and canals; present conditions good enough for our fathers.

You will probably be asked, Gentlemen, to render some little assistance to the University of our State. But I hope you will strenuously refuse to do this likewise. It is respectfully submitted to the wisdom above mentioned, whether our good old-field schools are not abundantly sufficient for all our necessities. Our fathers and mothers jogged along uncomplainingly without colleges; and long experience proves them to be very expensive things. The University has already cost the people not a little; and the good it has accomplished thus far is extremely doubtful; if I might not rather allege it to have been productive of mischief. College learned persons give themselves great airs, are proud, and the fewer of them we have amongst us the better. I have long been of the opinion, and trust you will join me in it, that establishments of this kind are aristocratical in their nature, and evidently opposed to the plain, simple, honest matter-of-fact republicanism, which

Hopes no assistance will be given the University.

Old field schools good enough; no colleges needed.

Course of study in colleges leads to aristocracy.

The measure to
establish common
schools ridiculous.
Times very hard.

Schools we now
have not all filled.
Too much ado
about education.

Not necessary that
everybody be able
to read, write and
cipher.

Plain farmers and
mechanics do not
need education.

ought to flourish among us. The branches of learning cultivated in them are, for the most part, of a lofty arrogant and useless sort. Who wants Latin and Greek and abstruse mathematics in these times and in a country like this? Might we not as well patronize alchymy, astrology, heraldry and the black art? * * * In the third place, it is possible, but not very likely I confess, that you may be solicited to take some steps with regard to the establishment among us of common schools. Should so ridiculous a measure be propounded to you, you will unquestionably, for your own interest, as well as that of your constituents, treat it with the same contemptuous neglect which it has ever met with heretofore. Common schools indeed! Money is very scarce, and the times are unusually hard. Why was such a matter never broached in better and more prosperous days? Gentlemen, it appears to me that schools are sufficiently plenty, and that the people have no desire they should be increased. Those now in operation are not all filled, and it is very doubtful if they are productive of much real benefit. Would it not redound as much to the advantage of young persons, and to the honour of the State, if they should pass their days in the cotton patch, or at the plow, or in the cornfield, instead of being mewed up in a school house, where they are earning nothing? Such an ado as is made in these times about education, surely was never heard of before. Gentlemen, I hope you do not conceive it at all necessary, that *everybody* should be able to read, write and cipher. If one is to keep a store or a school, or to be a lawyer or physician, such branches may, *perhaps*, be taught him; though I do not look upon them as by any means indispensable: but if he is to be a plain farmer, or a mechanic, they are of no manner of use, but rather a detriment. There need no arguments to make clear so self-evident a proposition. Should schools be established by law, in all parts of the State, as at the North, our taxes must be considerably in-

creased, possibly to the amount of one per cent. and sixpence on a poll; and I will ask any prudent, sane, saving man if he desires his taxes to be higher?

* * * * *

You will doubtless be told that our State is far behind her sisters in things of this sort,—and what does this prove? Merely, that other states are before us; which is their affair, and not ours. We are able to govern ourselves without reference to other members of the confederation; and thus are we perfectly independent. We shall always have reason enough to crow over them, while we have power to say, as I hope we may ever have, that our taxes are lighter than theirs.

Makes no difference if we are behind our sister States; able to govern ourselves without reference to others.

Ahead of others because our taxes are lighter.

* * * * *

—*X in Raleigh Register, Nov. 9, 1829.*

2. DR. CALDWELL ON OPPOSITION TO TAXATION.

Three centuries
behind in educa-
tion and improve-
ments.

As we now are, and with such plans as we now practice, we correspond in public improvements and in popular education, not with the nineteenth century, but with three centuries ago. Can we, as a population, continue to endure a thought like this?

No man who op-
poses a moderate
tax for improve-
ments can claim to
be a friend of the
cause.

But it will be asked, What then are the means by which you will propose to commence a system of internal improvement? Have you the intrepidity to recommend taxation to a people who hold it in such abhorrence, and on whose nerves of revolting sensibility candidates for the Legislature and for public offices, well know how to strike tones of harmony, at once delightful to the people's ear, and to themselves in consequent assurance of their own election. To this question I have but one answer, and there can be only one. To no purpose can that man claim to be a friend of internal improvement, and to the public good, who avows opposition to so moderate a tax as is necessary to carry it on. As well might he make pretensions to be my friend, when he sees me without strength and perishing with thirst, while he denies me water in my extreme necessity.

Taxation contrary
to republican
government a fatal
delusion.

We sometimes hear it asserted, that 'Taxation is contrary to the genius of a Republican Government.' This is a radical error, and however captivating to many, he who persuades them of its truth, is but using his efforts to fasten upon them a radical and fatal delusion. It is not the genius of a Republic that no taxes should be raised, but that no tax should be levied except by the people themselves. To induce the people to give up taxation totally, as though it belonged not to a popular government, is but asking their consent and determination to be tied hand and foot, and to yield themselves without remedy and without hope to every species of adversity. Of this we are now furnishing a most impressive example. * * *

In every nation that would be free, with opportunity to have the voice of its people heard, through its constitution and its laws, the voice of the majority must be the supreme law of the land. But while on this point, there can be no doubt, it is equally certain, that in a popular State like ours, every individual not only has the right, but is bound in conscience, so far as he would have an influence in society, so to modify the public voice, that its decisions may be on behalf of what he sincerely believes to be for the good of his country. We know well that multitudes must egregiously and shamelessly trifle with these subjects both among the people and even in legislative body, to which we ought to look for sober wisdom, and a deep sense of the responsibility which they have voluntarily incurred to their conscience, their country, and to God; * * * and he who sincerely believes that an opinion of the people is erroneous, and pernicious in themselves, and yet with selfishness and flattery, seeks by all his artifice and zeal to plunge them more deeply into error that he may secure their favor, gives incontestable proof of his disqualification for the trust. * * *

Every man should not hesitate to try to mould public opinion on this question.

Who the real enemies of the people are.

—*Dr. Joseph Caldwell before Internal Improvements Convention, Dec. 22, 1829. Published in Raleigh Register, Feb. 4, 1830.*

3. GOV. OWEN'S MESSAGE ON EDUCATION.

The University our
only school in
which we can take
any pride.

This school needs
aid: the Literary
Fund might be
loaned to the
trustees.

The enlightened liberality of the framers of our Constitution, and the Legislature of an early day, have done much for the cause of learning, by establishing an institution in the center of our State, in which the higher branches of science are taught as successfully as in any similar institution in our country, and is the only monument of learning within the State of North Carolina, to which the eye of the stranger or the citizen patriot may be directed, with any emotions of pride and patriotism. It will at once be understood that my allusion is to our University. Much remains however to be done, towards perfecting and giving permanency to this institution; and its situation at this time calls more loudly for legislative interposition and patronage, than at any former period of its existence. Its funds which promise at some future day to be equal to its necessities, are yet locked up beyond the reach of those, to whose guardianship it has been committed by the Legislature; and this institution, proudly claimed by some of our most distinguished citizens as their alma mater, is permitted to languish, for the means which it is deemed within the power of the Legislature to furnish, without injury or even hazard to the State. A considerable sum of money which has been appropriated to the establishment of a Literary Fund, has not yet been invested in any of the banks of the State, and the commissioners charged with its management, have determined to purchase no more bank stock. It is then respectfully submitted to the Legislature, how far it may be advisable, and whether it is not within the legitimate object of the Legislature which created this fund, to authorize the commissioners to loan to the trustees of the University from time to time, any part or the whole of the monies thus appropriated, which have not been applied to the purchase of

stock, taking their bond with such interest as may be agreed upon, or fixed by the Legislature, for the repayment of the same.

The importance of preserving in a flourishing condition such a seminary within our own borders, is obvious. It prevents a large amount of money from being disbursed abroad and among strangers—our young men are saved from forming prepossessions in favor of foreign seminaries and foreign manners—they are enabled to study with more effect the political institutions of the State—imbibe a greater reverence for whatever is good and virtuous among ourselves—and avoid a prejudice against that state of society which we now have in the Southern States, and which must be, much as we may deprecate it, coexistent with the Union.

Advantages of having the University.

The influence of early education upon the well being of society, and upon the present and future happiness of the human race is admitted by every enlightened nation of the earth; and the responsible duty of disseminating it, devolves with peculiar force upon the statesman and legislator. So completely is the formation of character under its control, that every effort should be made to direct the virtuous energies of the mind, both by moral and intellectual education, into paths of usefulness. And that the standard, both of learning and virtue, may be more elevated, a system of public education should be adopted, by which the thousands of the rising generation in our State, who seem doomed to a life of ignorance, if not of folly and vice, without the fostering care of the Legislature, shall be able to acquire knowledge of the most useful kind—their tender minds trained to a love of order and virtue—and where industry and a reverence for the laws, shall be duly inculcated.

Importance of early education.

In the present enlightened age of the world, when the favorite schemes of the philanthropist throughout the habitable globe, seems to be the bountiful distribution of

We ought no longer to fail to provide all with the means of education.

knowledge, wherever there is human intellect to receive it; and under the improved modes and methods of instruction, which have been introduced into the primary schools both of Europe and America, contributing so much to the ease with which elementary learning may be acquired, let us no longer permit the youth of our State, to launch upon the ocean of life, there to shape their course without at least the rudiments of science.

The subject of education often brought to the attention of the Legislature.

In proportion to the ease with which an education may be acquired in other countries and the facilities afforded by their governments for this purpose, so should we feel its importance among ourselves: and with an enlightened wisdom, peculiarly characteristic of the present age, should North Carolina attest her belief in these principles by a liberal provision for the education of her children, until the development of intellect and the establishment of truth shall have placed us equally above the reach of civil tyranny, and ecclesiastical usurpation. The vast importance of this subject, has frequently claimed for it the consideration of the Legislature—and a report upon it by some of the most distinguished citizens of the State, under a resolution of the Legislature of 1824, will be found among the archives of the State. Accompanying this communication will also be found a plan for the establishment of primary schools in North Carolina, submitted by a gentleman¹ whose opportunities for observing the practical operation of the public schools of the northern States, entitle his opinions to influence, and the benevolence of the attempt to adapt them to the peculiar situation of his adopted State, will secure to him the gratitude of its citizens.

Kinney's plan.

What other States are doing.

I have also been enabled to procure and herewith transmit you, an account of the common schools in New Jersey, and the School system of New York, Connecticut, Rhode Island, Vermont, Massachusetts, New Hampshire and Maine. These several documents are believed to contain

¹ Charles R. Kinney.

the fullness of information upon this most interesting subject, calculated to shed all necessary light on the path of the Legislature, in regulating this important branch of our public economy.

—*House Journal, 1828, pp. 147-148.*

4. KINNEY'S "PLAN OF PUBLIC SCHOOLS."

Importance of education admitted : how to obtain schools the vital question now.

North Carolina has as many college graduates as any State except one; common schools neglected.

Not too poor to establish schools; good teachers, houses and unity of effort needed.

Plan in brief : counties divided into districts, committeemen appointed, corporate powers given districts.

The vast importance of a general dissemination of education is so universally admitted as to require no comment. The only question of difficulty is how to attain the object. The plan I propose has for its object only common schools, in which shall be taught the ordinary branches, such, of course, as would fit a man for mercantile pursuits. And, indeed, I think such information more immediately necessary in our State than further endowments of the university. In proportion to our population, I suppose, this State can number as many of collegiate education as any one in the Union with perhaps the exception of South Carolina. But in the common branches of education, there is certainly a lamentable, I had almost said a criminal want. To correct an evil it is first necessary to understand its true character. It is generally supposed that the poverty of the citizens is so great as to preclude the possibility of general education. This is certainly not so, since many countries with a much poorer peasantry than ours are vastly better informed. I believe the difficulties, on strict examination, will be found to be, first, a want of good teachers, or rather inducements sufficient to engage such as are competent in the task. A want of houses suitable for the purpose and properly located; Lastly, a concentration of the ability of each district to a single object.

To begin with the last of these first, I propose to pass an act of Assembly authorizing the county court of each county to divide their several counties into districts of not more than miles square, and to give to these districts corporate powers to an extent which will be hereafter seen. And also to authorize the county court to appoint a committee which I denominate the school committee, who shall have power to examine all teachers without whose certificate of good character and ability, they shall not be permitted to teach in the district houses.

I propose then to authorize the county court to appoint some proper man in each district for a committee or trustee for that district. Him, for distinction, I call the district committee. He shall be authorized to give notice for a meeting of the people of the district; which meeting, when so called, shall be authorized to tax the district not exceeding per \$100, for the purpose of erecting a school house at some convenient central situation in the district. And if the inhabitants of the district cannot agree upon its location, the county court shall, on the application of the district committee, appoint three men without the district to fix the site. The meeting so called shall also be authorized in like manner annually to tax themselves not exceeding per \$100, for the pay and support of a male teacher four months, and a female the same time. This tax to be assessed upon the general tax list, and the district committee invested with the same power of collection as the sheriff now has. This I believe embraces my whole plan; but you will ask my reasons for it, and an answer to some obvious objections.

One trustee for each district; district to have power to levy a school tax to build house and employ a male and a female teacher four months each year.

The character of the teachers in the country is proverbially and justly bad, notwithstanding some honorable exceptions. They usually consist of men unfit for anything else. An improvement is certainly necessary, and a proper selection of the committee by the court, will, I think, correct this evil. The proper time to send children, and more especially boys, to school is during winter; but this cannot be done without comfortable houses. When the houses are built, and the teacher employed, all the children within the district shall be permitted to attend.

Teachers usually of bad character; ought to be examined by committee.

Comfortable houses.

I had forgotten to invest the district committee with the power of hiring the teacher subject to the approval of the school committee. With respect to the success of the plan, I have unmasked, that in most, perhaps I had better say in many parts of the country, a majority is to be found, who would willingly pay a liberal compensation for the benefit

Committee to have power to employ teachers.

Objection answered that one man is taxed for the benefit of another.

of a school; but yet the charge is usually too onerous to be borne by anything short of the whole. This plan authorizes a majority to compel the balance to contribute. Should it be urged that the man who paid the largest tax might have no children to educate, and that he would therefore derive no benefit, or that the privilege should be proportional to the amount of the tax, and that the poor man with a large family would pay little, and receive much benefit; the answer is, that, in legislation, pecuniary burdens must, and can be borne only by those who are able to pay. The rich are frequently taxed for the benefit of the poor, as the blood of the poor is too frequently spilt to preserve the inheritance of the rich. We legislate for society in the state in which it actually exists, and not as we would wish it to be. Again, altho' for a few years one man would receive no benefit from the existence of a school in his district, in all probability a few years would change the scene, and he may be amply remunerated for the sums thus expended by a change of circumstances. Once more—as things now stand, the poor man, with a large family, cannot educate the whole, and, to be impartial, he educates none of his children; and consequently his district derives no benefit from his residence among them. Upon this plan, he will pay something, and proportionately lighten the charge upon the rest. And, after all, I should look for less opposition from the rich than the poor.

Advantage of having female teachers.

You will observe that I have spoken of a female teacher. This is a custom common in the New England States, where I have witnessed its great utility. I myself received the first rudiments of education from a country girl, and during the summer, never went to any but a female teacher. They never teach but in the summer, and are employed for the young misses, and those boys that are too small to be serviceable on the farm. For these two classes of children, I should give a decided preference to a female teacher; and for the purposes here proposed, and in the

present state of the country, a girl of common education would be fully competent to teach in most of the districts. The very small price at which she could be commanded is no inconsiderable object. I ought perhaps here to remark, that delicacy would forbid, and necessity would not require that she should pass an examination before the committee. Her selection may be safely committed to the district committee.

Female teachers will not cost much; need not be examined.

For the education of boys, and even larger girls, the winter is decidedly the best season, first, because they cannot, in an agricultural community, be spared from the farms during summer, and a teacher may be employed at a much lower rate at that season. A longer term than I propose would be desirable; but even that time every year will do much, and perhaps is as much as it would answer at first to attempt by this half compulsory means.

Winter the best season for schools to be in session.

I will say a word upon the size of the districts. They should be so large as to lighten the burthen as much as possible, and may be from three to five miles square, though much must depend upon the number of inhabitants, and their form may be changed in compliance with the country so far as rivers or impassable swamps intervene. The court should also be empowered to shape their size and form as occasion may require; but I would limit their power, but upon the application of some ten or twelve householders of the district in order to prevent litigious applications.

Size of the districts.

I propose to make the acceptance of the act optional with each county, and then leave each district the liberty of accepting or rejecting the terms. I presume a compulsory act could scarcely be passed, and, if passed would be scarcely more efficient than this. I believe that a majority of the counties will accept it during the first year, more or less districts in each county will also avail themselves of it in that time. But should but a single county and a single district therein accept the benefit, even then a great

Plan to be left optional with each county and then with each district.

point will be gained. The advantages will be apparent, and the example, I trust, will be followed. Should the act remain a dead letter upon the statute Book, little injury will be done; and should no better plan be suggested, perhaps this may be worth an experiment.

Motives for proposing this plan.

I make no apology for thus, unasked, proposing this plan. Every man owes something to the society in which he lives, and all that can be expected from him is to endeavor to discharge the obligation. My object will be completely effected should this be a means of suggesting a better plan. I have no partiality for my own unless no better can be found. Indeed, I scarcely know whether it should be called my own; for really there is no originality in it. It is at best but a new application of a power already known to exist in various forms. Should you be able to extract any hint from it worthy of notice, I shall think I have deserved well of my country; but if you think it useless, you will cast it with those things that are forgotten. I am, most respectfully,

Your obt. servt.,

C. R. KINNEY.

Sep. 19, 1829

His Excellency Gov. Owen.

House orders Kinney's report printed.

Saturday, Nov. 21, 1829.—On motion of Mr. Mhoon¹, ordered that a message be sent to the Senate, proposing that the document accompanying the Governor's message containing a plan of primary schools in this State, be printed, one copy for each member of the Assembly.

—*House Journal*, 1829-30, p. 161.

Senate concurs.

Monday, Nov. 23, 1829.—A message from the Senate, consenting to have printed the plan of primary schools in this state, as prepared by a citizen of this State and accompanying the Governor's message, one copy for each member of the Legislature.

—*House Journal*, 1829-30, p. 163.

¹ William S. Mhoon, Bertie.

5. COMMITTEES ON EDUCATION.

Senate: Wm. M. Sneed, Granville; Charles L. Hinton, Wake; Maurice Smith, Person; Collen W. Barnes, Northampton; Joseph J. Williams, Martin. Senate committee.

—*Senate Journal, 1829-30, p. 10.*

House: Samuel T. Sawyer, Edenton; Benjamin T. Simmons, Currituck; John S. W. Hellen, Carteret; James Rhodes, Wayne; John Farrier, Duplin; Archibald Monk, Sampson; Neill Nicholson, Richmond; John Purcell, Robeson; William Branch, Franklin; Duncan York, Nash; Thomas H. Taylor, Orange; James Kerr, Caswell; Daniel M. Barringer, Cabarrus; Alfred C. Moore, Surry; David L. Swain, Buncombe; Joseph M. Carson, Rutherford. House committee.

—*House Journal, 1829-30.*

6. MCFARLAND'S BILL TO EDUCATE POOR CHILDREN.

McFarland's bill
introduced in
Senate.

Monday, Nov. 23, 1829.—Mr. McFarland presented a bill for the education of the poor children of the State of North Carolina; which was read the first time and passed, and, on motion of Mr. McFarland, ordered to be referred to the committee on Education.

—*Senate Journal, 1829-30, p. 12.*

Bill printed.

On motion of Mr. McFarland, ordered that the bill for the education of the poor children of the State of North Carolina, be printed, one copy for each member of the Legislature.

—*Senate Journal, 1829-30, p. 13.*

General provisions
of the bill; same
as the bill of 1828.

The bill submitted by Mr. McFarland, for the education of the poor children of the State, provides, that so soon as the Literary Fund shall amount to \$150,000 and annually thereafter, the Public Treasurer shall hand over to the County Trustee of each county, the portion of public money which may be coming to each of their respective Counties from said fund; and that each County shall draw an amount, proportionate to its population and taxation. It is made the duty of the County Court, to appoint annually, School Commissioners in each Captain's district, whose duty will be to ascertain the number of destitute children in their respective districts, between the ages of 5 and 16, and cause said children, where the parents are willing, to be sent to any school within five miles distance, and pay for their tuition out of the money allotted from the fund, for this purpose. No child to remain at school longer, than is necessary to acquire a knowledge of Reading, Writing, Grammar and Arithmetic.

—*Raleigh Register, Nov. 30, 1829.*

Thursday, Dec. 17, 1829.—On motion of Mr. McFarland, ordered that the committee on Education be discharged from the further consideration of the bill for the education of the poor children of the State of North Carolina; and the said bill was ordered to be referred to a select committee¹, consisting of Messrs. McFarland, Franklin, Ramsey, Boddie and Ward.

Bill referred to a special committee.

—*Senate Journal, 1829-30, p. 60.*

¹ This committee was composed as follows: Tryam McFarland, Richmond; Meshack Franklin, Surry; Joseph Ramsey, Chatham; William W. Boddie, Nash, and Edward Ward, Onslow.

Thursday, Dec. 24, 1829.—Mr. McFarland, from the select committee, to whom was referred the bill for the education of the poor children of the State of North Carolina, reported the same without amendment. Whereupon, on motion of Mr. Meares¹, ordered that the said bill, together with the report, be laid upon the table.

Bill laid on the table.

—*Senate Journal, 1829-30, p. 85.*

¹ William B. Meares, New Hanover.

On motion of Mr. Meares, ordered that the report² of the select committee, on the bill to provide for the education of the poor children of the State of North Carolina, be printed, one copy for each member of the Legislature.

Report of special committee to be printed.

—*Senate Journal, 1829-30, p. 87.*

² I have been unable to find this report.

7. LOAN ASKED FOR EDENTON ACADEMY.

Monday, Dec. 21, 1829.—Mr. Sawyer¹ presented the memorial of the trustees of the Edenton Academy, praying the loan of money, to be applied in support of said Academy. Ordered that said memorial be referred to the committee on Education.

—*House Journal, 1829-30, p. 227.*

Thursday, Dec. 31, 1829.—Mr. Swain², from the committee on Education, to whom was referred the memorial of the trustees of the Edenton Academy, reported unfavorably to the prayer of the memorialists, and asked to be discharged from the further consideration of the subject. The question to concur with the report was determined in the affirmative.

—*House Journal, 1829-30, p. 255.*

¹ Samuel T. Sawyer, Edenton.

² David L. Swain, Buncombe.

8. WHAT OTHER STATES ARE DOING FOR COMMON SCHOOLS.

Common Schools.—The subject of introducing Common Schools into every neighborhood in the State, where there are a sufficient number of children to make such an establishment desirable, has frequently been before our Legislature; a fund has been provided, and committees have been appointed to report a plan for carrying the measure into effect, but no step has yet been taken to put in operation a single School at public expense.

What North Carolina has done.

In the State of New-York, where great and laudable attention has been paid to the establishment of Common Schools, it is provided by law, that as soon as the inhabitants of any neighborhood agree to erect a School-house, and raise a certain sum for the payment of a Teacher, they may draw on the Public School Fund, which the State has provided, for a sum equal to their own contributions. And by this means, schools have been everywhere established, so that there are within the several School districts of that State, the astounding number of 441,856 children, between the ages of 5 and 15, at school.

What New York is doing.

What objection can there be to the adoption of a similar plan for this State? The fund is ready, and all that is necessary, is to pass a suitable law on the subject.

—*Raleigh Register, March 6, 1829.*

9. NEGLECT OF THE PUBLIC LIBRARY.

A Bill for the application of all appropriations for the increase of the Public Library.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That henceforth all the appropriations, for increasing the Public Library shall be placed under the control of a Board, consisting of the Governor, the Chief Justice of the Supreme Court, and the Public Treasurer for the time being, and shall be applied by their order or that of a majority of them to the purchase of such books, maps and charts as they may direct.

Be it further enacted, That the said board shall annually report to the Legislature, a list of the books last purchased as aforesaid, and the cost thereof, and they shall cause to be made out, and always keep ready in the Library a full and complete catalogue of all the books contained in the same¹.

Engrossed and examined.

In Senate Jan. 7, 1830: Read the first time and ordered to be indefinitely postponed.

—*Unpublished Legislative Documents, 1829-30.*

¹ The reports made some years later show that the appropriation for the Library was not being all used at this time.

1830

- 1. A TEACHERS' ASSOCIATION SUGGESTED.**
- 2. THE ESTABLISHMENT OF SCHOOLS URGED.**
- 3. NORTH CAROLINA URGED TO FOLLOW TENNESSEE IN SCHOOL LEGISLATION.**
- 4. GOV. OWEN'S MESSAGE ON EDUCATION.**
- 5. ASSEMBLY COMMITTEES ON EDUCATION.**
- 6. McFARLAND'S BILL TO EDUCATE POOR CHILDREN.**
- 7. ASSEMBLY RESOLUTIONS ON EDUCATION.**
- 8. INEXPEDIENT TO APPROPRIATE SCHOOL FUND.**
- 9. McFARLAND'S BILL TO INCREASE LITERARY FUND.**
- 10. MONK'S BILL TO INCREASE THE LITERARY FUND.**
- 11. LOAN ASKED FOR OXFORD ACADEMY.**
- 12. BILL TO COLLECT SCHOOL STATISTICS.**
- 13. LITERARY FUND RECEIPTS 1830.**
- 14. DISBURSEMENTS OF STATE TREASURY 1830.**
- 15. SLAVES MUST NOT BE TAUGHT TO READ AND WRITE.**
- 16. CENSUS OF NORTH CAROLINA.**

1. A TEACHERS' ASSOCIATION SUGGESTED.

To the friends of Education and of the cause, of Literature in North-Carolina.

Preliminary
conference.

In a conference between several gentlemen engaged in the task of instruction, it was suggested as promising many valuable results, that there should be a meeting annually, or oftener, of all those who have the charge of Seminaries of learning, as well as others who may feel interested, for the purpose of mutual consultation, and the discussion of subjects connected with education and the advancement of knowledge.

Advantages of
organization.

It is well known how much light is struck out, how much zeal is enkindled, how much higher the standard of excellence is raised, where a body of men pursuing the same occupation, are collected together in the same town, and are thereby brought into frequent contact and competition.—But as these circumstances are not attainable in a State like ours, possessing no large towns and population thinly scattered over an extensive territory, the only way which teachers can compensate for their dispersed and isolated situations, is to consent occasionally to leave their respective charges, and repair to some pre-appointed rendezvous, whither they can carry for free discussion, all the subjects of inquiry, doubt and difficulty, which have occurred in the course of their experience.

Meeting called
Dec. 15, at Raleigh.

All who have been employed in the business of Education, indeed all who have been interested in literary or scientific investigations, feel sorely the privation of pleasure and of improvement to which they are condemned, when their circumstances forbid an intercourse with those of the same professional pursuits. It is therefore presumed that the Teachers throughout the State, if not others, will receive with approbation the proposition which is now made, that there be a meeting held on the 15th of

December next, in the City of Raleigh, of all persons interested in the cause of education, for the purpose of consulting on various matters relating to their vocation, and on the expediency of organizing a permanent Council or Senatus Academicus, who shall meet periodically for the fore-mentioned objects.

It is but barely necessary to hint to those concerned, ^{Subjects for discussion.} that a free communication on the best modes of discipline and tuition, the best books and editions of books, grammatical questions, as well as the promotion of professional acquaintance & friendship, strongly invite to the proposed meeting, and promise to render it highly advantageous and pleasant to those who may attend.

Should this proposal meet with a favorable acceptance, it will be well for those who favor it, to signify their approbation through the medium of the papers in their respective neighborhoods, with such remarks as will promote the object; that it may be known before hand what probability there is of general attendance in Raleigh, next winter.

PAEDOPHILUS.

—*Raleigh Register*, July 19, 1830.

2. THE ESTABLISHMENT OF SCHOOLS URGED.

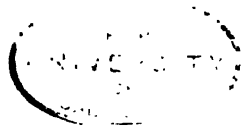
What to do for the University; how to educate the poor; how to reach every citizen with education, now subjects of serious concern.

EDUCATION.—In the last North-Carolina Journal, there is an editorial article on the subject of Education, from which we extract the following:

In North-Carolina too, a deeper feeling than usual, has been excited on the all important subject of education, which, it is to be hoped, will deepen and extend, until it pervades the bosom of every white person in the State. The embarrassments of the University, the difficulties which many neighborhoods and individuals have to encounter in procuring the most common means of instruction, the ignorance of many of the poorer classes, and the utter impracticability in most of them to educate their children, have awakened the drowsy sensibilities of our people and put us all upon the enquiry—What shall be done for our University?—How shall the poor be educated?—How shall education be placed within the reach of every one of our citizens?

Legislature under solemn moral obligations to provide education for all the white people.

The elections, of tomorrow, will determine who are those to whom is entrusted the high and honorable duty of making laws for us, for another year—perhaps for posterity. It is hoped that none of those elected, will be insensible to the obligations attached to their responsible situations. Not knowing now, of course, who the members of the next Legislature will be, we cannot be accused of personalities, as we hope we shall not be, of proscription, when we say to the Representatives, no matter who they may be, that they—the chosen depositories of the rights and happiness of free Republicans—the citizens of a Government founded on the virtue and intelligence of the people—are under solemn and imperious moral and political obligations—from which nothing will discharge them, but the faithful and honest performance of their duty—to provide means of instruction to all ranks and classes of our white population; and that as soon as they are qualified for the dis-



charge of their legislative duties, they are bound by the most solemn and awful obligation—a voluntary OATH—to support and sustain the University.

The Constitution of North-Carolina, which every member of the Legislature takes oath to support, when he qualifies, declares “that one or more Universities shall be established.” This is no unmeaning provision. It is replete with wisdom, patriotism, benevolence, obligation. The Sages, Patriots and Statesmen who framed our State Constitution, had just then thrown off their allegiance to the British Crown; they were devising a plan of Government for a community of independent Freemen; they were aware that much of the stability of the Government, and much of the happiness of the people depended upon the cultivation of the public mind. Hence they made it a Constitutional duty in the Legislature to establish “Universities.” Nor does the obligation cease with the mere act of incorporating Trustees; it extends with full force, and with unceasing application, to the endowing said Universities with such ample funds, as are requisite for effecting this Constitutional provision. No member of the Legislature of North Carolina therefore, can discharge his duty, or comply with the solemn obligations of his oath, if he refuses or neglects to endow the University with such funds, as the resources of the State, and the wants of the Institution, warrant and demand, for carrying into full and complete operation the intentions of the wise and beneficent framers of the Constitution.

The Constitution requires that the University be supported.

—*Raleigh Register*, Aug. 16, 1830.

2. NORTH CAROLINA URGED TO FOLLOW TENNESSEE IN SCHOOL LEGISLATION.

Plan of public education in Tennessee outlined.

A late Tennessee paper contains the act passed by the Legislature of that State, at its last session, to establish a system of Common Schools, and to appropriate the School Funds of that State. This act provides that the several County Courts shall annually appoint a Commissioner in each Captain's Company, who shall meet at their Respective Regimental Muster Grounds on a certain day, for the purpose of dividing said Regiment into School Districts of convenient size, taking down the heads of families in each district on separate sheets of paper, which shall be given to a Justice of the Peace residing in each District (or should there be none to some other suitable person) who shall after giving ten days public notice, cause to be elected five trustees, all persons voting who vote for members of the General Assembly. Such trustees to organize themselves, by choosing a Chairman, Clerk and Treasurer; and the Chairmen of the several districts in each county are to meet at the Courthouse on the first Saturday of June annually, for the purpose of choosing not less than five nor more than seven Common School Commissioners for said county, who are to appoint a Clerk, who shall also be Treasurer. They are to have control of all moneys, etc.—said Commissioners to meet semi-annually.—They shall apportion the annual School Fund amongst the several School Districts, (which shall be entitled to a share by having provided a comfortable school house in such district) in proportion to the number of children of both sexes between the ages of five and fifteen years. The Trustees of each district to give bond to said Commissioners that the money which they receive shall be faithfully applied to the support of a Free School. Each of the trustees to keep open a subscription paper, and solicit and receive donations in support of the school. The Trustees

of each School District are constituted a body politic and corporate and have the full power to employ and dismiss Teachers. The School Commisisoners shall number the School Districts in each county and divide them into five equal parts, and assign to each, one of said divisions, who shall visit them, at least once a year, and report to the Secretary of State annually on or before the 1st of September.—The Trustees of each District are also to report the state of the School under their direction to the School Commissioners.—It is made the duty of the Trustees of the several School Districts, as far as practicable, to induce all children within the district under the age of 15 years, to be sent to School, making no distinction between rich and poor.

This is a mere outline of the plan—the Act itself will be preserved and shown to such as wish to see it. And we trust, since Tennessee, the child of North Carolina, has carried into effect this important provision for the Education of the *Children of all her citizens*, we shall not longer neglect this *paramount* duty, urged upon us by that sacred instrument, our Constitution.

This State ought to provide for the children of all her citizens.

—*Raleigh Register Editorial, July 29, 1830.*

4. GOV. OWEN'S MESSAGE ON EDUCATION.

Education one of
greatest objects of
legislation.

The object of all our legislation is the happiness of our citizens, and in furtherance of this object, I would particularly invite your attention to the education of our youth, the internal improvement of the State, and the regulation of the circulating medium, as the three great and leading subjects, which should claim your attention at the present session. * * *

Criminals usually
ignorant; vice,
irreligion and pov-
erty due to igno-
rance.

The importance of a general diffusion of knowledge is universally admitted; nor is it any longer pretended that learning is unfavorable to morals, or injurious to the best interests of a nation. On the contrary, our own experience as a nation, and the history of the world prove to us, that most of those who are condemned to the just punishment of malefactors under the laws of a Christian community, are the exceedingly ignorant, who have been hurried into acts of violence, or seduced into excess, by the example of a few, whose situation from fortuitous circumstances affords them a passport to luxury, and to criminal indulgence. If then it be true that the vice, irreligion, and consequent poverty and misery of a large portion of our fellow citizens are to be attributed to their intellectual condition, are these not indispensable considerations to the virtuous legislator? The benevolent designs of the philanthropist, and the particular plans of the political economist to promote the general diffusion of education, are mere instrumental expedients in the hands of the legislator; and without the aid of the strong arm of government, must fall "still born," and prove ineffectual for raising the ignorant from their degraded condition. The object of education is to train the young to usefulness, and to fit them for that station, which they are to assume in after life among freemen. Without a proper cultivation of the moral and intellectual faculties, this end can never be attained—these artificial helps have ever been

Objects of
education.

found to suffice. Whilst other members of this great confederacy have been appropriating millions for the general concern of literature, and establishing schools for the education of their youth, thereby enabling them to keep pace with the enlightened age in which we live, has there not been a manifest dereliction of duty on the part of those who have been entrusted with the regulation of the political economy of North Carolina, that in all its bounds there never has been established a single institution for gratuitous instruction, even in the elementary branches of education? Fellow Citizens of the Senate and of the House of Commons, should this be so? and will you permit it any longer to be the case? Have we not resources approaching almost to immensity lavished upon us? And if they are not properly applied, is it not time to raise a protesting voice against a species of economy, which has so long kept the poor in ignorance, and the State in poverty? Fully sensible of the arduous nature of the duties which devolve upon the Legislature—of the difficulty of reconciling the views even of those most friendly to the establishment of primary schools for the instruction more particularly of the poor, we may yet be consoled by the reflection, that the path is not an untried one, but has led other Legislatures to the happiest results, by ameliorating the condition of society, establishing correct habits, morals and religion, always under the dominion of education—and these are the only sure conservators of the government under which we live. In the archives of the State, you have abundant materials from which to compile a system for North Carolina, for the gratuitous public instruction of the youth of the State. If, in such a system, it be necessary to tax the wealthy for the benefit of the poor, it is in the nature of things that it should be so, and it should be recollected that it is the latter, who are oftener called on to fight the battles of their country.

North Carolina is behind other States.

Our so-called economy has kept the poor in ignorance and the State in poverty.

Tax on the rich for the poor justifiable.

The University of the State should, in connection with primary schools, also claim the fostering care of the Legis-

Plea for aid to the University.

lature. For this institution, spacious buildings have been erected, extensive and valuable libraries have been collected, costly chemical and philosophical apparatus have been procured, by which the professors are enabled to communicate instruction in the elevated branches of learning and science with more ease; and these have been effected in no small degree by private contribution. After having struggled through many years for a precarious existence, until it has attained to a lofty eminence among the colleges of our country, the trustees are reduced to the necessity of abandoning it altogether, or of turning it over to the Legislature of our country. The last alternative has been adopted. To you, many of whom have received your dearest and most valuable inheritance within its consecrated walls, they are about to surrender their trust; and with that, "this child of the constitution," which, if cherished as it should be, must become the great moral engine of supplying the halls of our Legislature, the Bench, the Pulpit, and the Bar, with that learning and talent, which, without it, will be looked for in vain from other parts of the State, and must be supplied from abroad. There can be no better test of the enlightened wisdom of a nation, than the extent and sufficiency of its provision for the mental and moral instruction of its children, and we can never hope to establish for North Carolina, an elevated standard of education, or even of social and national virtue, until the principles of correct education, and their influence upon society, shall have been known, acknowledged and practiced among ourselves. Is there not a constitutional injunction on the subject of education, and this too, founded on the *belief* (to use no stronger term) that a system of general education, is indispensable to a system of *general morality*, and that from these *alone*, we can hope to perpetuate the free institutions of our country.

—*House Journal, 1830-81, pp. 157 and 158.*

5. ASSEMBLY COMMITTEES ON EDUCATION.

Wm. M. Sneed, Granville; Tryam McFarland, Richmond; Wm. D. Moseley, Lenoir; Clement Marshall, Anson; Collen W. Barnes, Northampton. Senate committee.

—*Senate Journal*, 1830-31, p. 14.

Samuel T. Sawyer, Edenton; Uriah W. Swanner, Washington; James A. Chesson, Washington; Charles G. Speight, Newbern; Nathan B. Bush, Jones; Wm. K. Frederick, Duplin; John P. Gauze, Brunswick; Thomas Hill, New Hanover; Archibald Monk, Sampson; William Branch, Franklin; William Clark, Pitt; James T. Haley, Northampton; A. Weaver,¹ Guilford; Philip Irion, Rockingham; William H. Phillips, Hillsborough; Daniel M. Barringer, Cabarrus; Joseph Allison, Orange; Mordecai Fleming, Surry. House committee.

—*House Journal*, 1830-31, p. 167.

¹ Amos Weaver was later deprived of his seat in the House of Commons on the ground that he was, at the time of his election, a minister of the Methodist church, and 'ineligible to a seat in the Legislature, under section 31 of the State Constitution. The history of the case may be found in *House Journal*, 1830-31, pp. 170, 171, 184, 191.

6. MCFARLAND'S BILL TO EDUCATE POOR CHILDREN.

Bill introduced. Wednesday, Nov. 24, 1830.—Mr. McFarland presented a bill to provide for the education of the poor children in the State of North Carolina; which was read the first time and passed, and, on motion of Mr. McFarland, ordered to be referred to the committee on Education.

—*Senate Journal*, 1830-31, p. 19.

Bill similar to others by McFarland. By Mr. McFarland, a bill to provide for the education of poor children in the State of N. Carolina. [The provisions of this bill are precisely similar to those contained in the bill presented at the last two or three sessions, on this subject.]

—*Raleigh Register Report of Proceedings of Senate*, Wednesday, Nov. 24, 1830, in issue of Dec. 2, 1830.

Provisions of McFarland's bill. LEGISLATURE.—In the Senate, on Wednesday, the 24th ultimo, Mr. M'Farland introduced a bill to provide for the education of the poor children of this State; which was read the first time, passed and referred to the committee on Education. The provisions of the bill are briefly these: That so soon as the literary fund shall amount to a sum deemed adequate for the purpose, that the interest arising therefrom shall be paid over by the Public Treasurer to the county trustees of the several counties in the State, in sums proportioned to the population and taxation of the same, to be by them applied to the education of those only whose parents or guardians are absolutely destitute of the means of paying their tuition; and such alone as have no visible property are to be entitled to the provisions of the bill; and their children are not to be advanced in their education beyond reading, writing, English Grammar and Arithmetic. For carrying these provisions into operation, the County Courts in each county

are to appoint two commissioners, to ascertain the number and enrol the names of such poor children, and enter them in the ordinary way to some school within a reasonable distance of their places of residence; to give the teacher or trustees of the school a certificate, shewing the names and number of scholars thus subscribed, which shall be paid by the county trustee.

—*The Star, Dec. 2, 1830.*

Friday, Dec. 24, 1830.—Mr. McFarland, from the committee on Education, to whom was referred a bill to provide for the education of the poor children of this State, made a report thereon, expressing the opinion that it is inexpedient at this time to pass the said bill into a law; and, on motion of Mr. McFarland, ordered that the bill and report be laid upon the table.

Adverse committee report; bill laid on the table.

—*Senate Journal, 1830-31, p. 88.*

Saturday, Jan. 1, 1831.—On motion of Mr. McFarland, ordered that the committee on Education and Primary Schools be discharged during the present session.

Senate Committee on Education discharged.

—*Senate Journal, 1830-31, p. 120.*

7. ASSEMBLY RESOLUTIONS ON EDUCATION.

Thursday, Nov. 28, 1830.—On motion of Mr. Monk¹:

House inquiry
about establishing
Schools.

Resolved, That the committee on Education be instructed to inquire into the expediency of appropriating the interest of the literary fund to the education of indigent children, and that they report by bill or otherwise.

—*House Journal*, 1830-31, p. 167.

¹ Archibald Monk, Sampson.

New Hanover memorial on schools.

Thursday, Dec. 9, 1830.—Mr. Thomas Hill, with leave, presented the memorial¹ of sundry citizens of New Hanover county, upon the establishment of common schools; which was read, and, on motion of Mr. Hill, referred to the committee on Education.

—*House Journal*, 1830-31, p. 206.

¹ This memorial could not be found among the Legislative papers of this year.

Aid to University
and other schools
from Literary
Fund.

Thursday, Dec. 9, 1830.—The following resolution, offered by Mr. Pearson¹, was read and adopted:

Resolved, That the committee on the University be instructed to inquire into the expediency of establishing a Board of Commissioners, to be denominated the Commissioners of Education, who shall have the entire management of the finances of the University, and such common schools as may be established; and the expediency of granting to the University the aid which its situation at present requires, on condition that the trustees will convey to said commissioners all the funds of the University, which, together with the literary fund, shall constitute a general fund for education, out of which the University and such other schools as may hereafter be established by the State, are to be supported.

—*House Journal*, 1830-31, pp. 206-207.

¹ R. M. Pearson, Rowan.

Resolved that the Committee on Education and Primary Schools be instructed to inquire into the present situation of the Literary Fund. As to the amount of said fund. How invested and the time of investment. The amount of cash on hand, and as to the propriety of loaning any part of said fund to the trustees of the University. Also as to the propriety of appropriating to said fund any stock or funds of the State which are not set apart for any specified object, in order speedily to carry into effect the laudable purpose for which it was intended. That they report the same to this Legislature¹.

McFarland's resolution to inquire into condition of Literary Fund and the propriety of a loan to the University.

In Senate 13th Dec. 1830. Read and agreed to.

In Senate 1st Jan. 1830. Read and the Committee thereof discharged from the further consideration thereof.

Clerk's entries on resolution.

—*Senate Journal, 1830-31, p. 58.*

¹ Introduced by Tryam McFarland, of Richmond.

Wednesday, Dec. 29, 1830.—Mr. McFarland presented the following resolution, viz.

Resolution to use Literary Fund to pay State expenses.

Resolved, That the Public Treasurer be authorized to use any part of the Literary Fund (should it be necessary) for the payment of contingent charges of government, and the redemption of Treasury notes for the ensuing year; and that he refund the said amount to the Literary Fund, and report the same in his annual report.

Which was read, and, on motion of Mr. McKay¹, ordered to be laid upon the table.

—*Senate Journal, 1830-31, p. 111.*

¹ James J. McKay, Bladen.

Wednesday, Jan. 5, 1831.—The resolution authorizing the Treasurer to use any part of the Literary Fund, was taken up, on motion of Mr. McFarland, read the first time and passed.

Passes first reading.

—*Senate Journal, 1830-31, p. 135.*

Indefinitely postponed.

Jan. 5, 1831.—The resolution authorizing the Public Treasurer to use the Literary Fund, if necessary, was read the second time, and, on motion of Mr. Skinner¹, ordered to be indefinitely postponed.

—*Senate Journal, 1830-31, p. 138.*

¹ Henry Skinner, Perquimans.

8. INEXPEDIENT TO APPROPRIATE SCHOOL FUND.

Friday, Dec. 17, 1830.—Mr. Sawyer¹, from the committee on Education, instructed to inquire into the expediency of appropriating the interest of the Literary Fund to the education of indigent children, reported that it is not expedient at this time to make the contemplated appropriation, and prayed to be discharged from the further consideration of the subject. The report was concurred in.

House resolves not
to establish
schools.

—*House Journal*, 1830-31, p. 221.

¹ Samuel T. Sawyer, Edenton.

9. MCFARLAND'S BILL TO INCREASE LITERARY FUND.

Resolution to
replace shortage in
Literary Fund.

Wednesday, Dec. 22, 1830.—Mr. McFarland, from the committee on Education and Primary Schools, to whom was referred a resolution instructing them to inquire into the present state of the Literary fund, made a report thereon, accompanied by the following resolution, viz.

Resolved, That the public Treasurer be authorized to transfer to the Literary fund, the sum of twenty-eight thousand one hundred and eighty-four dollars thirty-two and a half cents, and all interest that has or may accrue on said sum, it being an amount due from the late Treasurer John Haywood.

Which being read, was, on motion of Mr. Wilson¹, ordered to be laid upon the table, and on motion of Mr. McFarland, ordered that the report be printed, one copy for each member of the Legislature.

—*Senate Journal*, 1830-31, p. 81.

¹ Louis D. Wilson, Edgecombe.

Passes Senate.

On motion of Mr. McFarland, the resolution concerning the Literary Fund was taken up, read and adopted, and ordered to be engrossed.

—*Senate Journal*, 1830-31, p. 91.

Bill introduced.

Wednesday, Dec. 22, 1830.—Mr. McFarland presented a bill for the promotion of the Literary Fund; which was read the first time and passed.

—*Senate Journal*, 1830-31, p. 82.

Fees for attorney's
licenses to go to
Literary Fund.

A Bill for the further promotion of the Literary Fund.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That from and after the passage of this act,

that all tax fees paid by attorneys for Licenses in the different Counties of the State, shall be paid the Clerk of the County in which such license is obtained, and the amount so collected by said Clerk shall be paid over to the Publick Treasurer of the State as other publick monies, and by him applied to the Literary Fund, and the sum shall constitute a part of the capital stock of said fund, any law to the contrary notwithstanding¹.

—*Unpublished Legislative Documents, 1830-1.*

In Senate 22nd. Dec. 1830. Read the first time, and passed.

In Senate 5th. Jan. 1831. Read the second time and ~~Bill fails~~. on motion of Mr. Meares², ordered to be indefinitely postponed.

—*See Senate Journal, 1830-31, p. 138.*

¹ Introduced by Tryam McFarland, Richmond.

² William B. Meares, of New Hanover.

10. MONK'S BILL TO INCREASE THE LITERARY FUND.

House bill introduced and rejected. Wednesday, Dec. '22, 1830.—Mr. Monk¹, with leave, presented a bill to increase the Literary Fund; which was read the first time and rejected.

—*House Journal, 1830-31, p. 231.*

A Bill to increase the literary fund.

The bill; certain bank stock to go to Literary Fund. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that seven Hundred and four shares of the stock owned by the State in the Bank of Cape Fear, and three Hundred and fifty nine shares of the stock owned by the State in the Bank of Newbern be and the same is hereby appropriated and set apart to the literary fund.

—*Unpublished Documents, 1830-1.*

¹ Archibald Monk, Sampson.

11. LOAN ASKED FOR OXFORD ACADEMY.

Saturday, Dec. 18, 1830.—Mr. O'Brien presented the memorial of sundry citizens of Granville county, praying a loan out of the literary fund, of the sum of three thousand dollars, to aid the Literary and Military Academy at Oxford¹; which was read and referred to a select committee, consisting of Messrs. O'Brien, Gary, Jones, A. W. Wooten, and Bush¹. \$3,000 asked from
Literary Fund.

—*House Journal*, 1830-31, p. 228.

¹ Spencer O'Brien, Granville; Roderick B. Gary, Northampton; John F. Jones, Carteret; Allen W. Wooten, Lenoir; Nathan B. Bush, Jones.

Friday, Dec. 23, 1830.—Mr. O'Brien, from the select committee to whom was referred the memorial in relation to the Oxford Military Academy, reported a resolution in favor of Daniel H. Bingham, authorizing a loan out of the literary fund of \$3,000; which was read the first time and passed. Committee make
favorable report.

—*House Journal*, 1830-31, p. 235.

Saturday, Jan. 1, 1831.—The resolution in favor of Daniel H. Bingham was read the second time, amended, and, on Mr. Blair's¹ motion, indefinitely postponed. Loan fails.

—*House Journal*, 1830-31, p. 259.

¹ George Blair, Chowan.

12. BILL TO COLLECT SCHOOL STATISTICS.

Bill introduced.

Thursday, Dec. 23, 1830.—Mr. Thomas Hill¹ presented a bill to collect information relative to schools in the several counties in this State; which was read the first time and passed.

—*House Journal, 1830-31, p. 234.*

A Bill to collect information relative to schools in the several Counties of this State.

Tax lists to gather school statistics; number not attending school and adult illiterates to be ascertained.

Be it enacted by the General Assembly of North Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of each and every person appointed in the several Counties in this State to take the lists of taxable property during the month of July next to collect information relative to the number of schools in the districts for which they may be respectively appointed, the number of scholars attending each school, the different branches of education taught therein, the number of children in their respective districts who from any Cause do not possess the opportunities of acquiring a Common English education, and the number of adults who are ignorant of the Common branches of education, and return all such information to the Clerk of the Court of Pleas and Quarter Sessions for the Counties in which they respectively reside.

Report to the Governor by county clerks.

Be it further enacted, That it shall be the duty of each and every Clerk of the Court aforesaid to transmit all such information as he may receive in manner aforesaid together with such other information as they may derive from authentic sources relative to the aforesaid subject to the Governor of the State who shall lay the same before the General Assembly at the next annual session.

Compensation.

And be it further enacted that the clerks of the several Courts of Pleas and Quarter Sessions in this State shall

¹ New Hanover.

each be allowed the sum of one dollar for making the returns as in this act directed.

—*Unpublished Documents, 1830-1.*

Tuesday, Dec. 28, 1830.—The bill to collect information relative to schools in the several counties in this State, was read the second time, and, on motion of Mr. Edmonston¹, postponed indefinitely. Bill fails to pass

—*House Journal, 1830-31, p. 246.*

¹ Ninian Edmonston, Haywood.

18. LITERARY FUND RECEIPTS 1830.

The balance of cash remaining in the Treasurer's hands unexpended, to the 1st of November, 1829, as reported to the General Assembly of that year.....		\$17,029.24½
Receipts from the first of November, 1829, to the first of November, 1830, consists of the following items:		
Cash for entries of vacant		
lands	\$6,636.00	
Tavern tax	2,782.66	
Auction tax	394.12	
		\$9,812.78
Cash received of State Bank of N. C., dividend on 282 shares of stock belonging to this fund, at 3 per centum, for 12 months ending with December, 1829....		846.00
Ditto State Bank of North Carolina, dividend on the above shares of stock, at 2 per centum, for 6 months ending with June, 1830		564.00
Ditto Bank of Cape Fear, dividend on 50 shares of stock belonging to this fund, for 6 months ending 1st January, 1830, at 2 per centum		100.00
Ditto Bank of Cape Fear, dividend on 704 shares of stock, at 2 per centum, for 6 months ending 1st January, 1830, which is appropriated to this fund		1,408.00
Ditto Cape Fear Navigation Company, dividend on the shares of stock belonging to the State, and money expended, as declared by the said company, and payable January, 1830		392.86
Aggregate amount		30,152.88½

Agricultural Fund	1,218.64
Cash received from judgments obtained against Clerks and Clerks and Masters, and on returns made by them to the first of November, 1830	\$1,529.67
Deduct disbursements during the period, for which vouch- ers have been delivered to Comptroller and allowed...	311.03
Total amount of receipts.....	\$31,371.52½

—*From Treasurer's Report to Legislature, 1830.*

14. DISBURSEMENTS OF STATE TREASURY 1830.

General Assembly	\$39,927.52
Executive Department	2,300.00
Treasury Department	2,000.00
Department of State	1,122.00
Comptroller's Department	1,000.00
Adjutant General's Office	200.00
Public Printers	900.00
Judiciary	24,567.00
Sheriffs for settling taxes	1,013.15
Congressional Elections	93.32
Repairs of State House	1,111.53
Public Library	100.00
State Bank of N. C., interest on deferred payment	3,356.24
Pensioners	930.00
Governor's House	13.10
Stock in Roanoke Navigation Company...	9,500.00
Treasury Notes burnt, session 1829	19,971.85½
Money burnt	123.20
Contingencies	6,081.30
Wm. M. Sneed, agent appointed by the Governor under the resolution of 1829, to adjust and liquidate the claim of the State against the United States.....	1,000.00
Bogue Banks	59.10
Total	\$115,369.37½

—From Treasurer's Report to Legislature, 1830.

15. SLAVES MUST NOT BE TAUGHT TO READ AND WRITE.

Committee on Slavery and Free Persons of Color. Senate committee.
William B. Meares, New Hanover; William Montgomery, Orange; Richard D. Speight, Craven; Marshall Dickinson, Pitt; Louis D. Wilson, Edgecombe.

Thomas Hill, New Hanover; Robert McAfee, Rutherford; William Wadsworth, Moore; Josiah Holder, Johnston; D. M. Barringer, Cabarrus. House committee.

—*Senate Journal, 1830-31, pp. 14-15.*

Dec. 1, 1830.—Mr. Meares, from the joint select committee, to whom was referred so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State, made a detailed report thereon, accompanied by the following bills, to wit: A bill to prevent the gaming of slaves, and to prevent free persons from gaming with them or suffering them to game in their houses; a bill to prevent the circulation of seditious publications and for other purposes; a bill to prevent slaves from attending muster or election grounds on the days of muster or election; a bill to prevent all persons from teaching slaves to read or write, figures excepted; a bill to reinact a part of the first section of an act, passed in the year 1787, chapter 11th, entitled an act for hiring out persons on indictment or presentment, not being able or willing to pay the fees of office and jailor's fees; a bill to amend the several laws in this State concerning slaves and free negroes; and a bill to regulate the emancipation of slaves; which bills were severally read the first time and passed.

Titles of bills reported; one to prevent slaves from being taught to read and write.

—*Senate Journal, 1830-31, p. 33.*

The joint select Committee, to whom was referred so The report.

much of the Governor's Mesage, as relates to slaves and free persons of Colour—

Combination to excite slaves.

Report, That after as careful an examination into facts, as time and circumstances would permit, they are satisfied, an extensive combination now exists to excite in the minds of the slaves and coloured persons of this, and the other slave holding States, feelings and opinions subversive of good order, and utterly incompatible with the relation in which we stand towards that class of our population.

Plans to subvert slave relations formed.

Your Committee are fearful, impressions have already been made which will not easily be effaced: and that under the delusion of these impresions, designs have been certainly contemplated, and perhaps plans actually formed, to subvert the relation of master and slave. To such a state of things your committee cannot look, but with feelings of horror more easily conceived, than expressed. The actual detection of the circulation of the incendiary publication, (a copy of which is transmitted to this Legislature) and the accidental but partial discovery of designs, perhaps not fully developed or digested, which have been entertained by some slaves at points of the State remote from each other, together with the disclosure of facts relative to those designs, leave no doubt on the minds of your Committee, that the time has arrived when it becomes the bounden duty of the Legislature, from which it would be criminal to shrink, to act with firmness and decision in so regulating our police, as will insure our own safety, and duly punish all attempts to invade it. "It is fruitless to complain of the relation between Master and Slave." It is a state of things thrown upon us, not by our own consent; an evil which it is impossible at present, to remedy, and which we must therefore guard with all those barriers which stern policy may dictate. In the condition of slavery there can be no medium state. Submisison and obedience must be absolvt and unconditional, or slavery

must cease. And, when we observe the radical difference between the ideas, the deportment and habits of the slaves of the present day, and those of twenty years since, we are led justly to fear, that unless some change in our general police is effected, the most ruinous consequences may be apprehended.

One source of great evil which suggests itself to your committee and from which the most serious danger may be apprehended, is, the teaching slaves to read and write; thereby affording them facilities of intelligence and communication, inconsistent with their condition, destructive of their contentment and happiness, and dangerous to the community. To prevent these evils and the further dissemination of inflammatory and seditious publications and the consequent contamination of the minds of our slaves, your Committee have reported two bills; one to prevent the circulation of seditious pamphlets and other publications; and the other to render it criminal to teach slaves to read and write. The frequent intercourse between free negroes from non-slave holding States and our slaves is another source of evil, sedulously to be avoided. As some entertain doubts as to our constitutional rights, entirely to prohibit their coming into our State, at least as mariners, and for a limited time, your Committee have pursued the policy of a sister State, and thought it advisable to throw such obstacles in the way of vessels bringing them into the State, as will induce their owners and officers to desist from their employment; and have reported a bill having that tendency.

Teaching slaves to read and write one cause of the present troubles.

Various other points of policy, in regulating the general conduct of slaves and free persons of colour, and their intercourse with each other, and with our white population, have suggested themselves to your Committee, to remedy and provide for a part of which, Bills are herewith reported, and their passage recommended: others not yet digested, are yet under consideration and will as soon

as practicable be acted on and brought before the Legislature.

All which is respectfully submitted,

Dec. 1, 1830.

WM. B. MEARES, *Chm.*

—*From Unpublished Legislative Documents, 1830-31*

Bill on second
reading in Senate.

Subsequent Legislative History of the Bill in Senate. Dec. 7, 1830.—The bill to prevent all persons from teaching slaves to read or write, the use of figures excepted, being read the second time, Mr. Dick¹ moved to amend the bill by striking the words "read or," in the fifth line of the first section; which amendment was not agreed to. Mr. Dick moved further to amend the bill by adding the following additional section, to-wit: "that the provisions of this act shall not extend to the county of Guilford"; which amendment was also not agreed to, and the bill was read the second time and passed.

—*Senate Journal, 1830-31, p. 46.*

¹ John M. Dick, Guilford

Bill on third read-
ing in Senate.

Dec. 9, 1830.—The bill to prevent all persons from teaching slaves to read or write, the use of figures excepted, being read the third time, Mr. Dick moved to lay the bill upon the table; which was not agreed to. Mr. Montgomery moved to amend the bill by striking out the words "read or," in the fifth line of the first section; which amendment was not agreed to. Mr. McFarland moved further to amend the bill by adding the following as an additional section, viz. "And be it further enacted, that this act shall not be in force until after the first day of May next"; which amendment was not agreed to, and the bill was thereupon read the third time and passed, and ordered to be engrossed—ayes 36, noes 22. The ayes and noes being demanded by Mr. Montgomery, are as follows, to-wit:

Those who voted in the affirmative, are Messrs. George Ayes and noes. O. Askew, Bertie; Collen W. Barnes, Northampton; John B. Beasley, Tyrrell; Wm. W. Boddie, Nash; David W. Borden, Carteret; Wm. W. Cowper, Gates; John Crump, Montgomery; Samuel Davenport, Washington; Marshall Dickinson, Pitt; Edward C. Gavin, Sampson; William R. Hall, Brunswick; John H. Hawkins, Warren; John Hill, Stokes; Charles L. Hinton, Wake; Shadrach Howell, Robeson; Edmund Jones, Wilkes; Jonathan J. Lindsay, Currituck; Risdien M. McDaniel, Jones; John McEntire, Rutherford; Tryam McFarland, Richmond; Isham Mathews, Halifax; Wm. B. Meares, New Hanover; Stephen Miller, Duplin; Wm. D. Moseley, Lenoir; Wyatt Moye, Greene; Wm. Murchison, Cumberland; Joseph Ramsey, Chatham; Richard D. Speight, Craven; Wm. Selby, Sr., Hyde; Luke R. Simmons, Columbus; Wm. M. Sneed, Granville; ——— Walton ———; Edward Ward, Onslow; William P. Williams, Franklin; Jos. J. Williams, Martin; Louis D. Wilson, Edgecombe.

Those who voted in the negative, are Messrs. Abraham Brower, Randolph; Pinkney Caldwell, Iredell; John M. Dick, Guilford; Wm. P. Dobson, Surry; James Gudger, Buncombe; James W. Guinn, Macon; Jacob Hare, Hertford; Ransom Harris, Davidson; Jos. B. Hinton, Beaufort; Daniel Hoke, Lincoln; James Kerr, Caswell; Alexander McNeill, Moore; Robert Martin, Rockingham; Clement Marshall, Anson; Christopher Melchor, Cabarrus; William Montgomery, Orange; David Newland, Burke; John Ray, Ashe; Gabriel Sherard, Wayne; Henry Skinner, Perquimans; Robert Vanhook, Person; William Welch, Haywood.

—*Senate Journal, 1830-31, p. 51.*

History of the Bill in the House. Dec. 22, 1830.—The engrossed bill to prevent all persons from teaching slaves to read or write, the use of figures excepted, was read the second time¹. Mr. Worth moved to strike out of the bill the words "to read." The question thereon was decided in the negative—yeas 30, nays 93. The yeas and nays called for by Mr. Stedman.

Second reading in the House; ayes and noes.

Those who voted in the affirmative were Messrs. John C. Barnhardt, Cabarrus; Daniel M. Barringer, Cabarrus; Jos. M. Bogle, Iredell; Alexander Buie, Cumberland; Alney Burgin, Burke; James Calloway, Ashe; Willis D. Dowd, Moore; Isham A. Dumas, Richmond; Ninian Edmonston, Haywood; Joseph Ellison, Orange; Elias A. Hooper, Burke; James M. Lilly, Montgomery; Andrew H. Loretz, Lincoln; George C. Mendenhall, Guilford; Alfred C. Moore, Surry; William A. Morris, Anson; James Murphey, Richmond; Allen Peoples, Guilford; Bartlett Shipp, Lincoln; Nathaniel G. Smith, Chatham; Jos. Spurgin, Davidson; Caleb Stephens, Columbus; John Stockard, Orange; Thomas Tatham, Macon; James Weaver, Buncombe; Joseph White, Anson; Jas. Whitaker, Macon; W. W. Wiseman, Davidson; Jonathan Worth, Randolph; James Wyche, Granville—30.

Those who voted in the negative, were Messrs. W. J. Alexander, Mecklenburg; E. Alexander, Mecklenburg; Richard Allison, Iredell; Joseph Arrington, Nash; W. D. Barnard, Currituck; Daniel L. Bateman, Tyrrell; John Bragg, Warren; Wm. Branch, Franklin; Joseph J. Brooks, Chatham; John Brown, Robeson; Abraham Brower, Randolph; John M. Bryan, Craven; Nathan B. Bush, Jones; Isaac Carter, Hertford; James A. Chesson, Washington; Wm. Clark, Pitt; Wm. Clemons, Pitt; Jesse Cooper, Martin; Owen B. Cox, Jones; Stephen Dodson, Caswell; Wm. Donnell, Rockingham; Thos. Dozier, Camden; Mordecai Fleming, Surry; Hardy Flow-

¹ Passed first reading in the House on Dec. 10, 1830, without division. See House Journal, 1830-31, p. 209.

ers, Edgecombe; Frederick Foy, Onslow; Roderick B. Gary, Northampton; Alexander F. Gaston, Craven; John P. Gause, Brunswick; Gideon Glenn, Franklin; Abner H. Grandy, Camden; L. A. Gwyn, Caswell; Jas. T. Haley, Northampton; James Harper, Greene; Louis D. Henry, Fayetteville; J. A. Hill, Wilmington; Thomas Hill, New Hanover; Robt. C. Hilliard, Nash; Josiah Holder, Johnston; W. Horton, Wilkes; J. Horton, Ashe; Philip Irion, Rockingham; Wm. Jackson, Chowan; Foster Jarvis, Hyde; John F. Jones, Carteret; Reuben Kendall, Montgomery; Wm. S. Larkins, New Hanover; Thos. Lawson, Person; Benj. S. Leonard, Brunswick; Gray Little, Edgecombe; Salter Lloyd, Bladen; Wm. L. Long, Halifaxtown; James R. Love, Haywood; Thos. Marshall, Carteret; Alex. W. Mebane, Bertie; Arch. C. Monk, Sampson; Benj. Mullen, Perquimans; Robert McAfee, Rutherford; Thos. McGehee, Person; John W. McMillan, Bladen; Alexander McNeill, Cumberland; Thomas Nicholson, Halifax; Spencer O'Brien, Granville; William Orr, Buncombe; Richmond Pearson, Rowan; Wm. H. Phillips, Hillsborough; Thos. G. Polk, Rowan; John Purcell, Robeson; Nathaniel G. Rand, Wake; John W. Sasser, Wayne; Samuel T. Sawyer, Edenton; Benj. Sikes, Tyrrell; Benj. T. Simmons, Currituck; Thomas S. Singleton, Hyde; John M. Skinner, Pasquotank; Dickson Sloan, Sampson; Charles G. Spaight, Newbern; W. W. Stedman, Gates; Uriah W. Swanner, Washington; Elisha Uzzell, Greene; William Wadsworth, Moore; Ransom Walker, Warren; Wm. Watts, Martin; James M. Webb, Rutherford; John H. Wheeler, Hertford; Keder Witley, Johnston; John W. Williams, Beaufort; Thos. Wilson, Perquimans; John Willey, Gates; Jos. W. Winston, Stokes; Council Wooten, Lenoir; Allen W. Wooten, Lenoir; Wm. Wright, Duplin; Leonard Ziglar, Stokes—93.

Mr. Moore moved that the bill be postponed indefinitely. Amendments attempted.
The question thereon was determined in the negative.

Mr. J. Whitaker moved that nothing therein "contained shall apply to the county of Macon." This amendment was rejected. The bill, on motion of Mr. Bynum and Mr. Barnard, was amended, and the question was then put, shall the bill pass its second reading, as amended? and decided in the affirmative—yeas 85, nays 27. The yeas and nays demanded by Mr. Edmonston¹.

—*House Journal*, 1830-31, p. 231.

¹ The bill passed third reading without division. See *House Journal*, 1830-31, pp. 238 and 243.

An act to prevent all persons from teaching slaves to read or write, the use of figures excepted.

The act.

Whereas the teaching of slaves to read and write has a tendency to excite dissatisfaction in their minds and to produce insurrection and rebellion, to the manifest injury of the citizens of the State: THEREFORE,

Be it enacted by the General Assembly of the State of North Carolina, and is hereby enacted by the authority of the same, That any free person, who shall hereafter teach or attempt to teach, any slave within this State to read or write, the use of figures excepted, or shall give or sell to such slave or slaves any books or pamphlets, shall be liable to indictment in any court of record in this State having jurisdiction thereof; and, upon conviction, shall, at the discretion of the court, if a white man or woman, be fined not less than one hundred dollars, nor more than two hundred dollars, or imprisoned; and if a free person of color, shall be fined, imprisoned or whipped, at the discretion of the court, not exceeding thirty-nine lashes, nor less than twenty lashes.

II. Be it further enacted, That if any slave shall hereafter teach, or attempt to teach, any other slave to read or write, the use of figures excepted, he or she may be carried before any justice of the peace, and on conviction thereof, shall be sentenced to receive thirty-nine lashes on his or her bare back.

III. Be it further enacted, That the judges of the Superior Courts and the justices of the County Courts shall give this act in charge to the grand jurors of their respective counties.

—*Laws 1830-31, Chapter VI.*

16. CENSUS OF NORTH CAROLINA.

Counties.	Census of 1880.				Census of 1920.	
	Whites.	Slaves.	Free Persons of Color.	Total.	Total.	Increase.
Ashe	6,897	492	102	6,991	4,335	2,656
Anson	9,146	4,772	168	14,081	12,534	1,547
Burke	13,919	3,609	190	17,727	13,411	4,316
Buncombe	14,494	1,670	93	16,259	10,542	5,717
Brunswick	3,014	3,101	408	6,523	5,480	1,043
Bertie	5,272	6,742	212	12,276	10,805	1,471
Beaufort	6,305	4,155	483	10,949	9,850	1,099
Bladen	4,490	3,123	183	7,801	7,276	525
Craven	7,192	6,181	1,002	14,325	13,394	931
Cabarrus	6,497	2,255	44	8,796	7,248	1,548
Currituck	5,248	2,274	132	7,654	3,068	* 444
Caswell	8,899	6,434	355	15,188	13,253	1,935
Chowan	2,761	3,758	169	6,688	6,464	224
Camden	4,491	2,029	201	6,721	6,347	374
Chatham	10,106	5,112	281	15,499	12,661	2,838
Columbus	3,001	1,073	62	4,141	3,912	229
Cumberland	9,081	5,057	693	14,824	14,446	378
Carteret	4,875	1,593	139	6,607	5,609	998
Duplin	6,775	4,429	169	11,373	9,744	1,629
Davidson	11,347	1,923	151	13,421		
Edgecombe	7,632	7,073	223	14,933	13,276	1,657
Franklin	5,337	4,960	368	10,665	9,741	924
Granville	9,429	9,154	790	19,343	18,222	1,121
Gates	3,891	3,648	327	7,866	6,837	1,029
Gulford	15,785	2,556	394	18,735	14,511	4,224
Greene	3,333	2,872	108	6,313	4,533	1,780
Hyde	4,078	1,939	180	6,177	4,967	1,210
Halifax	5,870	9,790	2,073	17,733	17,237	501
Haywood	4,241	289	163	4,593	4,073	520
Hertford	3,873	3,712	956	8,541	7,712	829
Iredell	11,495	3,740	27	15,262	13,071	2,191
Johnston	7,174	3,639	125	10,938	9,607	1,331
Jones	2,347	3,065	186	5,623	5,216	412
Lincoln	17,604	4,953	63	22,625	18,147	4,478

* Decrease.

16. CENSUS OF NORTH CAROLINA—Continued.

Counties.	Census of 1880.				Census of 1820.	
	Whites.	Slaves.	Free Persons of Color.	Total.	Total.	Increase.
Mecklenburg.....	12,791	7,147	188	20,076	16,896	3,181
Martin	4,942	3,281	321	8,544	6,820	2,224
Moore	5,997	1,690	176	7,758	7,128	626
Macon.....	4,894	468	88	5,890		
Montgomery	8,514	2,294	110	10,918	8,698	2,226
Northampton.....	5,128	7,086	989	13,103	13,242	* 139
New Hanover	4,921	5,497	841	10,759	10,966	* 107
Nash	4,504	8,707	281	8,492	8,185	307
Onslow	4,569	8,144	101	7,814	7,016	798
Orange	15,908	7,839	628	23,875	23,492	383
Person.....	5,447	4,482	148	10,027	9,029	998
Pitt.....	6,887	5,407	70	12,174	10,001	2,173
Perquimans	4,825	2,749	843	7,417	6,857	560
Pasquotank	4,951	2,623	1,088	8,616	8,008	608
Richmond.....	5,661	,512	153	9,326	7,537	1,789
Robeson	6,280	2,467	608	9,355	8,204	1,151
Rockingham	8,418	4,296	211	12,920	11,474	1,446
Rowan	14,460	6,201	135	20,796	26,009	* 5,213
Rutherford	14,054	3,407	96	17,557	15,351	2,206
Randolph	10,594	1,462	844	12,400	11,881	1,069
Surry	12,872	1,950	185	14,507	12,820	2,187
Sampson.....	7,566	3,983	239	11,768	8,908	2,860
Stokes	1,122	2,841	233	16,196	14,083	2,163
Tyrrell	3,298	1,376	58	4,732	4,819	418
Wilkes	10,836	1,472	137	11,942	9,967	1,975
Wake.....	11,476	8,108	888	20,417	20,102	315
Wayne	6,663	3,520	143	10,326	9,040	1,286
Washington	2,713	1,712	137	4,562	3,966	576
Warren	4,259	7,377	292	11,878	11,158	720
Lenoir.....	3,784	3,875	126	7,685	6,799	886
	472,438	246,462	19,575	788,470	638,829	99,641

Davidson was struck off from Rowan in 1822, and if the population of the two counties be added together, shows an increase in what was Rowan in 1820 of 8,208. Macon in like manner composed a part of Haywood until 1828. If the population of that county be added to that of Haywood, it will show an increase of 5,910.

*Decrease.

16. CENSUS OF NORTH CAROLINA—Continued.

RECAPITULATION.

Whites.	Males.	Females.	Total in 1880.	Total in 1820.
Under 5 years of age -----	40,662	42,785		
Of 5 and under 10 -----	85,978	84,247		
Of 10 and under 15 -----	81,171	28,792		
Of 15 and under 20 -----	25,582	27,610		
Of 20 and under 30 -----	89,174	41,229		
Of 30 and under 40 -----	23,060	24,704		
Of 40 and under 50 -----	15,076	16,455		
Of 50 and under 60 -----	10,646	10,657		
Of 60 and under 70 -----	5,947	5,944		
Of 70 and under 80 -----	2,409	2,470		
Of 80 and under 90 -----	650	767		
Of 90 and under 100 -----	136	152		
Of 100 and upwards -----	23	26		
	256,589	235,844	472,483	419,200

1831

- 1. GOV. STOKES' MESSAGE ON EDUCATION.**
- 2. ASSEMBLY COMMITTEES ON EDUCATION.**
- 3. McFARLAND'S RESOLUTION ON SCHOOLS AND LITERARY FUND.**
- 4. TAXATION FOR FREE SCHOOL IN JOHNSTON COUNTY.**
- 5. LITERARY FUND RECEIPTS.**
- 6. SLAVERY AND EDUCATION.**
- 7. A CRUEL PUNISHMENT ABOLISHED.**
- 8. HISTORY OF THE FIRST TEACHERS' ASSOCIATION.**
- 9. PLAN OF SCHOOLS BY "PEOPLES' FRIEND."**
- 10. DEAF AND DUMB ASYLUM.**
- 11. NECESSITY FOR SCHOOLS.**
- 12. LOTTERY FOR PUBLICATION OF A N. C. HISTORY REFUSED.**

1. GOV. STOKES' MESSAGE ON EDUCATION.

University refused
loan from literary
fund.

Reclamation of
the swamp lands.

Legislature will be
too busy to con-
sider subject of
schools.

The Literary Fund will claim and receive your favorable attention. The Report of the Public Treasurer will afford you precise information with regard to the amount of cash in his hands, and the situation of that portion of the fund which is not available. It is probably known to all of you that the Trustees of the University did not accept the loan offered them by the last Legislature from this source, so that the whole remains subject to future legislative disposition. The most important item of property transferred by the Legislature to the corporation to whose management the Literary Fund has been committed, are the swamp lands belonging to the State. These lands are believed by many intelligent individuals to be of immense value, and their improvement to be an object second only in importance to the opening and improvement of Roanoke Inlet. It is unnecessary, I am certain, to dwell upon the advantages which would result from the former. They are apparent to all. To convert a dreary waste of water and marshes into a habitable and fertile region, to insure the means of sustenance and comfort for an immensely increased population, and to give health to a section of the country which needs no other blessing, are the certain rewards of a successful attempt at improvement. To your wisdom it is submitted, whether such advantages, which, if attained, do not end with themselves, but tend to the enlargement of a fund which may justly be regarded as the orphan's legacy, will not justify, and does not demand a full and early experiment to test the practicability of the measure.

Believing that this assembly will have much to do in providing for the security of the people; in providing for its own future accommodation; and for the establishment of a new bank, or so directing the application of banking capital, as to secure a sound circulating currency; and in

preventing injury to individuals, which must otherwise follow, when the charters of the present banks expire, these being primary objects for the consideration of the Legislature, I have declined making recommendations which I had contemplated, relative to the situation of the University and the establishment of common schools.

—*House Journal, 1831.*

2. ASSEMBLY COMMITTEES ON EDUCATION.

Nov. 24, 1831.—Mr. McFarland presented the following resolution, to-wit:

Resolution to appoint committee on education.

Resolved, That so much of the Governor's message as relates to the Literary Fund and Common Schools be referred to a select committee. Which being read, on motion of Mr. Spaight, ordered that the said resolution lie on the table.

—*Senate Journal*, 1831-32, p. 7.

Nov. 25, 1831. On motion of Mr. Spaight, the Senate proceeded to consider the resolution presented on yesterday by Mr. McFarland and laid upon the table; and the resolution being read, the question was decided in the affirmative. Whereupon Messrs. McFarland, Montgomery, of Orange, Dobson, Askew, and Davenport were appointed the committee in pursuance thereof.

—*Senate Journal*, 1831-32, p. 10.

Senate committee. Tryam McFarland, Richmond; William Montgomery, Orange; William P. Dobson, Surry; George O. Askew, Bertie; Samuel Davenport, Washington.

—*Senate Journal*, 1831-32, p. 10.

House committee. Samuel T. Sawyer, Edenton; Lewis Thompson, Bertie; David C. Freeman, Beaufort; Ashley Sanders, Johnston; Archibald Monk, Sampson; Gideon Glenn, Franklin; Daniel W. Courts, Surry; William L. Miller, Robeson; Benjamin Sumner, Person; Littleton A. Gwyn, Caswell; Hugh McQueen, Chatham; William McLean, Cabarrus; Alney Burgin, Burke.

—*House Journal*, 1831-32, p. 151.

**3. MCFARLAND'S RESOLUTION ON SCHOOLS AND
LITERARY FUND.**

Saturday, Dec. 24, 1831. Mr. McFarland presented the following preamble and resolution, to-wit:

McFarland's resolution on schools and increasing literary fund.

Whereas by the 41st section of the constitution of this State, it is made the imperative duty of the Legislature to establish schools for the convenient instruction of youth; and whereas all convenient aid should be given to foster and enlarge the present fund set apart by this State, therefore,

Resolved, That the claim of this State against the United States, as reported by the commissioners of 1828, be appropriated to the Literary Fund of this State; and the treasurer is hereby authorized, as soon as said claim is adjusted, to enter said amount to the credit of the same, which shall constitute and form a part of said fund.

Which was read, and, on motion of Mr. Williams, ordered to be referred to the committee on Finance.

—*Senate Journal*, 1831-32, p. 70.

Tuesday, Dec. 27, 1831.—Mr. Sneed, from the committee on Finance, to whom was referred the resolution instructing the Public Treasurer to transfer the claim of this State against the United States (so soon as it shall be adjusted and settled) to the Literary Fund, reported that it is inexpedient to legislate upon the subject, and ask to be discharged from its further consideration; in which report the Senate concurred, and the committee were discharged accordingly.

Unfavorable report on increasing literary fund.

—*Senate Journal*, 1831-32, p. 75.

4. TAXATION FOR FREE SCHOOL IN JOHNSTON COUNTY.

Bill introduced in
senate.

Monday, January 9, 1832. Mr. Thompson¹ presented a bill to raise a fund to establish free schools in the county of Johnston, and for the government thereof, which was read the first time and passed.

—*Senate Journal, 1831-32, p. 112.*

¹ David Thompson, Senator from Johnston county.

Passes senate.

Monday afternoon, January 9, 1832. A bill to raise a fund to establish free schools in the county of Johnston, and for the government thereof, was read the second and third times and passed, and ordered to be engrossed.

—*Senate Journal, 1831-32, p. 115.*

Passes house; first
reading.

Tuesday, January 10, 1832. A bill to raise a fund to establish free schools in the county of Johnston, and for the management thereof was read the first time and passed.

—*House Journal, 1831-32, pp. 242 and 243.*

Passes house.

Friday January 13, 1832.—The engrossed bill to raise a fund to establish free schools in the county of Johnston, and for the management thereof, was read the second and third times, passed and ordered to be enrolled¹.

—*House Journal, 1831-32, p. 252.*

¹ The members of the House of Commons from Johnston, 1831-32, were Josiah Houlder and Ashley Sanders. The Senator was David Thompson.

The Law. An Act to raise a fund to establish free schools in the county of Johnston, and for the government thereof.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the County Court of Johnston county may, at the first court which shall be held after the first day of May next, and annually thereafter, at least ten justices of the peace being present, lay a tax, and cause it to be levied on all the property in said county which is liable to be taxed for State or county purposes, equal to not more than twenty-five per cent. per annum, on the whole amount of State and county and parish taxes levied in said county; which shall be collected, held and used as a school fund for said county of Johnston, according to the rules and regulations hereinafter prescribed.

Annual tax may
be levied.

II. That it shall be the duty of the sheriff or other collecting officer of said county to collect and account for the said taxes, under the direction of the County Court, according to the rules and regulations by law created for collecting other taxes in said county; and he may be required to give a bond to the chairman of said court, in the penal sum of two thousand dollars, conditioned for the faithful collecting and accounting for said taxes.

III. That it shall be the duty of the clerk of the County Court to take and receive from the sheriff the taxes aforesaid, who shall keep an account thereof, and hold the said monies in his office subject to the direction and control of the persons who are hereinafter authorized to manage the said fund; and the clerk shall give a bond with security, in the sum of two thousand dollars conditioned for the faithful discharge of the duties imposed by this act, and the honest accounting for the funds aforesaid.

Trustees to be elected; only persons taxed to vote for trustees.

IV. That the County Court aforesaid shall cause an election to be held for one trustee in each Captain's district in said county, each district electing its own trustee, of which election public notice shall be given; and in the said election each free white man who is taxed under this law shall have one vote; and the said trustees shall constitute a board, and hold their appointment for two years from the time of their appointment; and the said board shall be styled "The Trustees of the Central County School of Johnston county."

V. That the election of trustees shall be held at such times and places, as the County Court shall direct, within six months after the period when the taxes laid by this act shall fall due, and biennially thereafter; and the said trustees, after their appointment, shall be notified thereof by the clerk of the County Court, and shall within twenty days thereafter assemble at Smithfield, and appoint one of their body president and another secretary, and give notice by advertisement of their proceedings, so that the citizens may know who the said president and trustees are.

VI. That the trustees shall have power and authority to make rules and orders for their own government, and compel the obedience and attendance of the members of the board by fines, to be by them fixed, and which fines shall be recoverable by a warrant before any magistrate, in the name of the clerk of the County Court and his successor in office, and when collected shall go to increase the school fund aforesaid.

School house and farm; other schools provided for.

VII. That the said trustees shall, as soon as it can be done with the fund aforesaid, purchase a site and erect a school house or school houses in said county for the education of youths, with a farm attached if thought advisable; and the same shall be the principal or central school of said county; but the selection of said site shall be approved by the County Court before the same is purchased

and improved; and the title of the said site and the land attached to it shall be made to the clerk of the County Court and his successor in office, in trust, for the use of the trustees aforesaid, and the purposes declared in this act.

VIII. That the trustees aforesaid shall have power to select from the several districts in said county, always having the same number from each district, poor and indigent male children, who shall be educated at said school in the English language only; and such indigent children shall be boarded together and clothed out of the said fund, during the time of their attendance at said school, free from any charge; and the said trustees shall have power to require, under such rules as they may prescribe, of any person taught at said school that he shall teach others either in his trade, or his books in said school, or other free schools to be organized in said county until he shall come to the age of twenty one years; or they may require of him, if they think best, after he has been educated as aforesaid, to aid in the cultivation of the farm aforesaid, for the time aforesaid; and no child whose father is living, shall be admitted in said school, unless his father will in writing under seal agree to submit, and cause his son to submit, to such regulations, which agreement shall be made with the trustees aforesaid and entered into by a deed executed to the clerk of the County Court aforesaid and his successor in office, in trust for the board aforesaid; and no orphan child shall be admitted in said school unless he shall have been bound as an apprentice to said trustees and their successors by the County Court; and the said trustees, and their successors are hereby declared to be able and capable in law to have apprentices bound to them: *Provided always*, that the said trustees shall furnish the said child during the term of his service aforesaid his necessary clothes and board: *And provided fur-*

Poor children to be educated, trades to be taught; those educated may be required to teach others.

ther, that they may allow the parents, guardians or friends of said child to pay to the fund aforesaid a reasonable compensation for the education of the child aforesaid, and thereby release him from the obligation aforesaid, which compensation shall be fixed by a majority of said trustees at a regular meeting of the board.

Trustees to report
to county court.

IX. That the said trustees shall have power and authority, with the fund aforesaid, to employ a teacher of said school, and some competent person to manage the farm attached to it, upon such terms as they may be able to agree on; and they shall report in writing every six months to the County Court the progress and condition of said school, the conduct of the scholars by name, and render with said report an account of the fund and the disbursements thereof.

Pay scholars may
be admitted.

X. That the said trustees may have power and authority to admit in said school other students, not exceeding ten, until the fund shall be in a condition to warrant an entire exclusion of all but free scholars; and the rates of tuition and board of said scholars shall be uniform; but in no case shall any scholar who pays tuition be admitted over the age of thirteen years.

XI. That when the fund by this act created will justify, and the interest of the school require it, the trustees aforesaid may employ one or more artificers as instructors of the youths belonging to said school, and prescribe rules for the government both of the boys and master.

XII. That the trustees aforesaid may make such allowance as they may think reasonable to the clerk of the County Court for acting as their treasurer, and the clerk shall be entitled to no other compensation for his services, and he shall be entitled to no fees for apprentices bound to said trustees.

XIII. That the president of said Central School shall have full power to call said board of trustees together, whenever he may think the good of the school requires it, five of whom, exclusive of the president, shall constitute

a quorum for the transaction of business in all things, except in the expenditure of the funds, and in that case it shall require a majority of the whole number to constitute a quorum.

—*Private Laws, 1831-32, pp. 96-99, Chapter CXV.*

5. LITERARY FUND RECEIPTS.

The receipts of money belonging to this Fund since the 28th day of Dec. 1830, to the 1st Nov. 1831, including the transfer (per resolution) of 29,074 dollars 96 cents, amount to thirty-seven thousand twenty-one dollars and thirty-six cents, and consists of the following sums, viz.

Cash received for entries of vacant land	\$1,684.27	
Ditto for tax on sales at auc- tion received of sundry auc- tioneers	277.73	
Ditto for tavern tax received of Sheriffs	2,594.40	
		\$4,556.40
Cash rec'd of State Bank of N. C. for dividends on 282 shares of stock, (owned by the President and Directors of this Fund) at 2 per cent. for the half year ending Dec. 1830	564.00	
Ditto ditto dividend on the above shares for the half year ending June, 1831....	564.00	
Ditto Bank of Cape Fear, divi- dends on 50 shares of stock (owned by the President and Directors of this Fund) at 3 per cent. for the year end- ing with December, 1830...	2,112.00	
		3,390.00
This sum transferred from the unappropri- ated money in the hands of the Public Treasurer, and placed at credit of this Fund, as directed by resolution of Gen- eral Assembly		29,074.96

Making with the balance belonging to this
Fund and delivered over by the com-
mittee of Finance on the 29th Dec.

1830, of 37,455.12½

The amount of 74,476.48½

There has been no expenditure from this Fund for the
period above stated.

—*From Report Public Treasurer, Nov. 1831.*

6. SLAVERY AND EDUCATION.

Slaves discontented.

Restrictive laws have failed.

Better police regulations.

Gov. Stokes on Slavery. In relation to our internal concerns, I have to observe, that it would be impossible to conceal from the world, and needless to disguise from ourselves, the fact, that a certain class of the population of the State have become more discontented and ungovernable than heretofore. Fanatics of their own complexion, and other incendiaries, have fomented these discontents, and have incited them in many instances, to enter into conspiracies dangerous to the peace and safety of the country. To guard against these evils, which in all probability will continue, the utmost caution and prudence are necessary. Restrictive laws have been enacted without producing the desired result; and the crimes committed in a late insurrection in an adjoining State, would seem to require further and early attention to this subject. Instead of multiplying severe and sanguinary laws to operate upon those who know little, and care less about them, would it not be advisable to establish a more efficient and accountable police, and to arm and equip one or more companies of volunteers or attached militia, in each county, to be called out when required, and to be paid while in actual service? It is believed that such a force, in aid of the civil authority, would effectually secure the peace of the country; and the public arms belonging to the State could not be placed in safer hands. These State troops might be enrolled for one or more years, be held responsible for the arms and ammunition furnished, and not be suffered to abandon the service during the term of their engagement.

—*From Message to Legislature, Nov. 22, 1831.*

Slaves Shall Not Be Taught to Read. A Bill to repeal To permit teaching slaves to read. part of an act, passed at the last General Assembly, Chap. 6. Entitled, an act to prevent all persons from teaching slaves to read, or write, the use of figures excepted.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,

That so much of the before recited act, as makes it an indictable offence, to teach slaves to read, Be, and the same is hereby Repealed.¹

In Ho: of Commons Dec 16, 1831 on motion by Mr. Clerk's entry. Sawyer postponed indefinitely.

—*Unpublished Legislative Documents, 1831.*

¹ Introduced by James Whitaker, of Macon.

Negroes Must Not Preach.—An act for the better regulation of the conduct of negroes, slaves and free persons of color. No negro allowed to preach.

That it shall not be lawful under any pretence for any free negro, slave or free person of color to preach or exhort in public, or in any manner to officiate as a preacher or teacher in any prayer meeting or other association for worship where slaves of different families are collected together; and if any free negro or free person of color shall be thereof duly convicted on indictment before any court having jurisdiction thereof, he shall for each offense receive not exceeding thirty-nine lashes on his bare back; and where any slave shall be guilty of a violation of this act, he shall on conviction before a single magistrate receive not exceeding thirty-nine lashes on his bare back.

II. That it shall not be lawful for any slave to go at large as a freeman, exercising his or her own discretion No slave to exercise any privilege of a freeman. in the employment of his or her time; nor shall it be lawful for any slave to keep house to him or herself as a free person, exercising the like discretion in the employment

of his or her time; and in case the owner of any slave shall consent or connive at the commission of such offence, he or she so offending shall be subject to indictment, and on conviction be fined in the discretion of the Court not exceeding one hundred dollars: *Provided*, that nothing herein shall be construed to prevent any person permitting his or her slave or slaves to live or keep house upon his or her land for the purpose of attending to the business of his or her master or mistress.

—*Laws 1831-32, Chap. IV, p. 7.*

More rigid
measures necessary

Assembly Report on Slavery. The Committee to whom was referred so much of the Governor's Message as relates to slaves, free negroes and free persons of colour and incendiary publications respectfully Report—

Free negroes
growing worse,
evils of free black
population.

That they have examined with attention the subject committed to their consideration, and are fully impressed with the belief, that a period has arrived, which imperiously requires of the Legislature the adoption of some more rigid system of government for the conduct of slaves and free persons of colour. Upon examination it appears evident to the Committee, that the conduct and behavior of this description of our population, generally speaking, for several preceding years, has been from better to worse; that a spirit of uneasiness and insubordination among the slaves has been increasing; whilst the free persons of colour appear to have relaxed from labor and industrious pursuits and subsist in most instances by corrupting the slaves to steal from their owners. The Committee beg leave to state that this pernicious traffic is not confined to the slaves with free persons of colour but is carried on between slaves properly called so, and free slaves; that from a total disregard of the present laws, the evil felt by the existence of a free black population has been much increased, by a practice of considerable extent and of dangerous tendency by which slaves are permitted to go at

Many slaves have
too much liberty.

large and act as freemen; keeping house to themselves, with horses, cattle, and stock of all kinds, and in some instances with hired slaves under their control—in short, being perfect masters of their own time and employment, to all intents as fully as freemen. The Committee entertain the opinion that to this state of things is to be attributed in a great degree that daring spirit of insubordination, so obviously increasing amongst this description of people. The Legislature has from time to time modified the rigour of such laws as inflict penalties upon slaves, and have afforded to them, by laws recently passed, when tried for their lives, the same safeguards, that are provided for the lives of freemen: Whilst the State has been thus mindful of the claims of justice, a corresponding system of humanity and indulgence has been evidenced by masters in the treatment of slaves—. In most instances the Committee believe it may be said with truth, the slave is happier than his master; and in nearly all, better off, than the free person of colour: From a policy so just in the Legislature, so mild and humane in the master; better conduct and behaviour in the slave might be expected: But the Committee believe they will be sustained by the observation of every person, that in proportion as their treatment has been mild and humane, their conduct has been turbulent and disorderly. That an insurrectionary disposition has been manifested in neighboring States, are facts known to the Community, and recent occurrences prove, that a similar spirit has found its way into this State. The Committee believe that this feeling has been produced in this State amongst the slaves, by the following causes: first by the circulation of pamphlets; secondly by the black preachers; thirdly by slaves exercising the privilege of freemen; and fourthly by the free persons of color. As to the pamphlets they are printed to the North and are highly calculated to inspire such a disposition. Those referred to in the message of his Excellency have been

Slaves happier
than their owners.

Humane measures
only lead to worse
disorder.

Causes of disorder.

Incendiary pam-
phlets.

examined by the Committee, and they fear, there is much reason to apprehend others of a similar character have found their way into many parts of this State. The committee, however, do not perceive, that any amendment can be made to the existing laws in respect to the circulation of these pamphlets, by any direct legislation upon that offence; but that the least safe guard against their circulation, is, by closing such avenues as are most likely to afford them a passage: One of these and the most direct, is afforded by persons of color coming from another State by water; they are exempted from the examination and observation which always attends traveling by land; whilst it furnishes better opportunities to avoid detection; and their arrival being mostly in the towns, furnishes ready opportunities for distribution to a greater extent.

Black preachers.

As to the black preachers, they are most of them ignorant and superstitious, and there is too much reason to believe, that they expound many of the passages of sacred writ as prophecies of the judgments of vengeance, which they are to be the instruments of executing.

Slaves acting as freemen.

As to the slaves who exercise the privileges of freemen—these privileges excite dissatisfaction in the minds of those to whom they are not extended. They receive and entertain other slaves in their houses, and seduce them in every way from their duty. They tempt others to steal and receive the property; they instil into other slaves the injustice and rigour exercised by the master; and by their exemption from all control in the application of their time, they possess the best opportunities of communicating with other slaves and arranging every preparation necessary for a common design. To those who own horses, as the fact is in some instances, there is afforded additional means. This description of slaves generally make a pretence of raising a crop. This renders their detection more difficult and though it may be easy to establish that they sell and consume more than they grow; yet the impractica-

bility of showing by legal evidence, how or in what way they have violated any existing law, has hitherto left them in the full and open enjoyment of this injurious traffic, and which cannot, as the committee believe, be effectually prevented but by the enactment of additional laws.

As to the free persons of colour; their intercourse with the slaves operates pretty much in the same way. They gamble with the slaves; they buy from them, at **very** low prices, corn, cotton and other articles, **stolen** from the master; they inculcate in the **minds** of slaves that there is **no offence in stealing** the master's goods; and they **contribute** in every way, together with the *free-slaves*, who have been adverted to to render the slave dissatisfied with his master—nay, with his own condition. These people from being freemen, have opportunities of receiving these pernicious pamphlets which have already been noted; and in many instances being taught to read and write, they disseminate the mischievous doctrines they contain.

By cutting up all intercourse with these classes of people, the Committee is not aware that there will be the slightest abridgment of comfort; whilst, on the other hand, they believe that a great portion of public mischief, already felt, would be removed.

The Committee have believed that if the free black population was required annually to give bond and security for their good behaviour the public would be beneficially served. The idle would be compelled to labor in order to become able to give security, or forced to leave the State; the vagabond without character must leave the State; and besides the value which now results to society from the industrious habits of this people, there would be the less temptation held out to them to corrupt the slaves.

These being the views of the committee, they have felt it their duty, under the reference made to them, to report to the Legislature the provisions in detail, which are respectfully presented for its consideration, in the shape

Restrictions on
free negroes.

Laws should be
vigorously enforced

of a bill. The whole history of the laws respecting slaves and free persons of colour, evince the necessity at this time of a vigorous enforcement of the laws, and with a view of producing that certain obedience which is the object of all laws, the Committee entertain the confident hope that the bill herewith reported, if passed into a law will have that effect amongst this part of our population to produce new manners and habits by which their comfort and happiness will be promoted, and the interest and safety of the country at large increased.

Clerk's entry on
the report.

Report from the Committee on Slaves, etc.

In Senate 24th Decr. 1831.

Reported from the Committee by the Chairman and the accompanying Bill put upon its passage.

MR. SEAWELL Chr.

—*Unpublished Legislative Documents, 1831.*

7. A CRUEL PUNISHMENT ABOLISHED.

An act to abolish the punishment of cutting off ears.

That it shall not be lawful hereafter to inflict the punishment of cutting off the ears, but the same is hereby abolished; any law or usage to the contrary notwithstanding: *Provided*, that in all cases where by the existing laws the cutting off an ear or ears is prescribed, or part of the prescribed punishment, the offender on conviction shall in lieu thereof be sentenced to receive one or more public whippings, not less than thirty-nine lashes on his bare back: *And provided also*, that this act shall not extend to the punishment of any perjury or subornation of perjury, committed upon the trial of any capital offence.

—*Laws 1831-32, Chap. XII, p. 10.*

8. HISTORY OF THE FIRST TEACHERS' ASSOCIATION.

Tennessee convention.

Literary Convention.—In the last *Register*, we took some notice of a literary Convention lately held at Nashville, for the purpose of promoting the extension of Education amongst the people of Tennessee. It may be recollected, that in the month of July last, a writer in this paper, under the signature of Poedophilus, called the attention of the friends of Education and the cause of Literature, in this State to this subject, and suggested the propriety of a meeting at Raleigh during the then ensuing session of the Legislature. But nothing further being said on the matter, the session passed without any attention to it.

Conventions in other states; similar one in North Carolina.

Since that period, Conventions of this kind have been held in several of the States, and measures adopted, which we have no doubt, will effectually promote the end proposed, viz. the establishment of Common Schools, with competent Teachers in every neighborhood. A number of Gentlemen, desirous of promoting the general Education of the People of this State, are solicitous of again calling the attention of the friends of Education, and of Teachers generally, to this subject, and for this purpose, propose to hold a Convention at Chapel Hill, on the day before the ensuing Commencement of our University.

Suggests that convention at Chapel Hill form a plan for common schools.

It is known to most of our readers, that our Legislature, in the year 1825, passed an act to create a fund for the establishment of Common Schools throughout the State; but, though a considerable fund has, since that time accumulated, nothing further has been done to carry the intention of the General Assembly into operation. The fund is placed in the hands of a Corporation, consisting of the Governor, the Speakers of the Senate and House of Commons, the Chief Justice, and the Public Treasurer, for the purpose of instructing the children of the State generally,

in Reading, Writing and Arithmetic, in such way as the Legislature may direct. No plan for effecting this purpose has yet been adopted; and perhaps no more suitable occasion will occur for forming such a plan, than that which will be afforded by the contemplated meeting of Teachers and other friends of Education, at Chapel Hill. The subject is one of primary importance, as in the absence of education amongst the people generally, we have no certain foundation for a continuance of our happy Republican Institutions, or for the happiness and prosperity, which we at present enjoy.

We refer our readers to a sensible, well written Essay in today's *Register*, on the subject of establishing Common Schools throughout the State; but this writer takes no notice of the Acts of our Legislature, above referred to.—We are of opinion, with the author of this Essay, that the systems of Education in use at the North are not suited to our thinly settled Country; but though these systems be not applicable to our situation, we have no doubt that at the proposed meeting (which we trust will be attended by the writer of this Essay, as well as by all other friends of Education) such a Plan may be devised as will be calculated to suit the circumstances of our State, and be the means of carrying into full effect the views of the Legislature, who passed an act so truly wise, patriotic and benevolent.

Systems of other states not suited to North Carolina.

—*Raleigh Register, Thursday, May 12th, 1831.*

A CONVENTION

Of Teachers and Friends of General Education.

It is proposed, by a number of persons who feel interested in the subject, to hold a Convention of Teachers and Friends of General Education, in this State, at Chapel Hill, on the day before the ensuing Commencement of our University, for the purpose of mutual consultation, and

Call for the convention at Chapel Hill.

the discussion of subjects connected with Education and the advancement of knowledge.

It is hoped that the Teachers throughout the State, and others friendly to Learning, will attend this meeting for the purposes above stated, and for taking into consideration the expediency of organizing a permanent Council, or *Senatus Academicus*, who shall meet periodically for the aforementioned objects.

Raleigh, May 19, 1831.

—*In Raleigh Register, May 19, 1831.*

UNIVERSITY OF NORTH CAROLINA.—It affords us much gratification to state that the Commencement of this Institution was numerously attended, and that the Exercises were sustained to the satisfaction of the Trustees and other Visitors.

Examination.

The Examination of the younger classes was commenced on the 15th inst. and continued until the 22d. The Senior Class, had, by the particular direction of the Board of Trustees, been examined by the Faculty three weeks before. On the evenings of Monday, Tuesday and Wednesday, there was speaking, as is usual, by the members of the Freshman, Sophomore and Junior classes.

Literary oration.

On Wednesday, the Literary Oration, of which public notice has been given through this paper, was delivered by the Rev. William M. Green, of Hillsboro. Those who are acquainted with this gentleman, and who know how much his mind and heart are occupied by one engrossing subject, would have conjectured beforehand, that an Oration from him would have some connexion with Religion.—We learn that the subject matter of it, was, the influence of Christianity upon the happiness of Nations. We think the selection of the topic a judicious one; we cannot see why a Clergyman addressing a Christian audience, should be expected to forget altogether, the sacred character he sustains. The Orator was listened to with great interest, but

as we shall take an early opportunity of presenting it to our readers, a particular analysis here of the sentiments advanced, if we were competent to the task, is rendered unnecessary.

On Wednesday afternoon, a Convention of Teachers and other Literary gentlemen interested in the subject of Education, was held, for the purpose of devising means for giving perfection and efficiency to the instruction communicated in our public Schools of whatever rank. We indulge the expectation, that we shall have it in our power, hereafter, to give to the public, a particular account of this meeting, which we deem of great importance, tending, as it must do to enlighten and regulate public sentiment in regard to the important subject of Popular Education.

The following was the order of Exercises on Thursday, the day of Commencement:—

FORENOON.

1. Prayer by the President.
2. Latin Salutary Oration, DeBerniere Hooper, Wilmington. Commencement
program.
3. Literature of Modern Italy, Jacob Thompson, Leasburg.
4. National Pride, Lemuel B. Powell, Warren.
5. Forensic Dispute—Ought the Southern States to establish Manufactures? Henry J. Cannon, Raleigh, James M. Williamson, Person.
6. Means of promoting national wealth, Giles Mebane, Orange.
7. National History, Thomas J. Pitchford, Warren.

AFTERNOON.

8. Inducements to men of talents for the due improvement of their powers. William W. Spear, Hillsborough.
9. Forensic Dispute—Ought the Colonization Society to

be encouraged? Jesse A. Waugh, Waughton, Thomas R. Owen, Bladen.

10. Forensic Dispute—Ought measures to be adopted for the prevention of war? Archibald A. T. Smith, Fayetteville, Allen Jones, Hillsborough.

11. Valedictory Oration, Calvin Jones, Pulaski, Tenn.

12. Degrees conferred.

13. Report of Examinations.

14. Prayer.

Degrees.

The Degree of Batchelor of Arts, was conferred upon the young gentleman named in the foregoing scheme, and upon James Grant, Jun. of Raleigh, and Alexander Mebane, of Orange.

The Degree of Master of Arts was conferred upon the Hon. Abraham Rencher, Benjamin B. Blume, Albert V. King, Silas M. Andrews, Thompson Byrd and Erasmus D. North, Alumni of the Institution, and upon James B. Tate, instructor in Bertie county.

—*Raleigh Register, Thursday, June 30, 1831.*

NORTH CAROLINA INSTITUTE OF EDUCATION

The object.

It will be remembered that an advertisement appeared in several of the newspapers of this State, requesting the attention of teachers and the friends of education at Chapel Hill on the 22nd inst. the day preceding the commencement, with a view to organize a Society having for its object the diffusion of knowledge on the subject of education, and the improvement of common schools and other literary institutions in our State.

First officers.

At the time and place appointed, there was a numerous and highly respectable meeting. Dr. Simmons J. Baker was called to the chair. The objects of the meeting were explained by Mr. Benjamin M. Smith, of Milton, in an appropriate and highly interesting address. On motion, the following persons were appointed a committee to draft

a constitution, to wit, Professors Mitchell and Hooper of the University, Rev. William M. Green, Benj. M. Smith and W. J. Bingham. The meeting then adjourned to Thursday morning at 6 o'clock.

Thursday morning—Met according to adjournment. The committee appointed for that purpose submitted the following constitution which was adopted.

CONSTITUTION.

Preamble. We, whose names are subjoined, pledging our zealous efforts to promote the cause of popular education, agree to adopt the following constitution, and to obey the by-laws made in conformity with it.

Article 1. This society shall be called the North Carolina Institute of Education. Its object shall be, to diffuse Improvement of schools. knowledge on the subject of education, and by every proper means to improve the condition of common schools and other literary institutions in our State.

Art. 2. Members.—Any person of good moral character, interested in the subject of education, may become a member of this institution, by signing the constitution and making an annual contribution of one dollar; or by paying the sum of ten dollars may become a member for life, and be exempt from the annual contribution. Conditions of membership.

Art. 3. Meetings.—The annual meetings of this institution shall be held at Chapel Hill, on the afternoon preceding Commencement, at such hour as the directors shall appoint. Special meetings may be called by the directors, of which due notice shall be given in the public Journals. Meetings.

Art. 4. Officers. The officers of this institution shall be a President, three Vice-Presidents, a corresponding and recording Secretary, (the last of whom shall act as Treasurer,) and an executive committee of three, who shall constitute a board of directors. Officers.

A majority of the board shall constitute a quorum to transact business.

The officers shall be elected by ballot, at the annual meeting of the Institute.

Duties of officers.

Art. 5. Duties of Officers. The recording secretary shall give notice of each meeting of the Institute, and of the board of directors, and shall also keep a record of their transactions. He shall receive all the moneys, and disburse the same by order of the board of directors.

The corresponding Secretary shall be the organ of communication with other societies and individuals.

Board of directors.

To the board of directors shall be intrusted the general interests of the Institute, with authority to devise and execute such measures as may promote its objects. It shall be their duty to point out some suitable person to deliver an address before the society, at each annual meeting; to select competent persons to deliver lectures on such subjects connected with education, as they may deem expedient and useful; to collect such facts as may promote the general objects of the Institute, and to provide suitable accommodations for the meeting. They shall report annually to the Institute, and shall have power to fill all vacancies in their own body from among the members, and make by-laws for their own government.

Executive committee.

The executive committee of three, shall take charge of whatever books, pamphlets, or other property, may belong to the Institute. They shall examine the annual address, reports and all other, communications made to the Institute, and publish such as, in their estimation, will tend to throw light on the subject of education, and aid the faithful instructor in the discharge of his duty.

The board of directors, as soon as convenient after each annual meeting, shall select subjects for lectures at the next annual meeting, and assign them to proper persons.

Art. 6. The meetings of this institution shall be opened with prayer.

By-laws.

Art. 7. By-laws, not repugnant to this constitution, may be adopted at any regular meeting.

Art. 8. This constitution may be altered or amended by a vote of two-thirds of the members present at the annual meeting, provided such proposed amendment or alteration be made known to the board of directors at their stated meeting, next preceding the annual meeting of the Institute, and receive their concurrence.

The following gentlemen were elected officers; and constituted the board of directors: Officers for next year.

SIMMONS J. BAKER, *President*.

WM. M'PHEETERS, D.D.,	}	<i>Vice-Presidents.</i>
Rev. WM. M. GREEN,		
HON. FREDERICK NASH,		

Dr. WALTER A. NORWOOD, *Recording Secretary*.

W. J. BINGHAM, *Corresponding Secretary*.

Professor MITCHELL,	}	<i>Executive Committee.</i>
Professor HOOPER,		
Professor PHILLIPS,		

The board of Directors met in the afternoon, and made the following appointments.

To deliver an address before the annual meeting, on the day preceding the next commencement—Alfred Moore, Esq., of Orange. Next program

Lecture on the imperfections in the present mode of teaching in our primary schools, and the best method of correcting them, assigned to the Rev. William Hooper, of the University.

Lecture on elocution, with a particular reference to the teaching of reading, assigned to H. S. Ellenwood Esq. of Hillsborough.

On Lyceums and Societies for the diffusion of useful knowledge—James D. Johnson, Esq. of Oxford.

Subject for discussion—the period of time necessary for due preparation for College.

The corresponding Secretary was directed to procure for the use of the Institute, the "Annals of Education," and five copies of the "Education Reporter."

Resolved, That the Secretary prepare an account of the proceedings of the meeting, and of the Board of Directors for publication in the *Hillsborough Recorder*, and that all the newspapers in the State be requested to publish them.

By order of the Board

W. J. BINGHAM, *Secretary*.

—*Raleigh Register*, Thursday, July 7, 1831.

Much good to come
of the organization.

Literary Convention.—We mentioned in our last, that a number of gentlemen friendly to the cause of Education, and many of them Teachers, assembled at Chapel Hill, During Commencement week, for the purpose of mutual consultation and improvement. We are today, enabled, to give the proceedings of that Convention and are gratified in so doing, from a belief that such associations will prove in North-Carolina, as they have done elsewhere, eminently useful in awakening an interest in behalf of Common schools—in leading Teachers to investigate more attentively the theory of Education, and in enlightening and regulating public sentiment on this important subject. It may seem a small matter to many, that a few individuals from different parts of the State, should have met and consulted together for the public good, and should have organized a regular society to hold hereafter periodical meetings. But if we mistake not, we discover in this disinterested attempt to promote the cause of Literature and Education, the germ of great future usefulness, and trust most sincerely, that the maturity of the fruit may correspond with the promise of the blossom.¹

—*Raleigh Register*, Thursday, July 7, 1831.

¹The proceedings of 1832 have not been found. The *Raleigh Register* for a part of 1832 is not in the State Library.

NORTH CAROLINA INSTITUTE OF EDUCATION

The annual meeting of the North Carolina Institute of Education will take place on Tuesday the 25th of June, two days previous to the Commencement of the University. After which time, will be delivered the Annual Address and Lectures on the subjects appointed at the last meeting, viz:

Annual Address, by Joseph A. Hill, Esq. of Wilmington. First Lecture, on Lyceums and Societies for the diffusion of useful knowledge, by James D. Johnson, Esq. of Oxford. Second Lecture, on a System of Elementary Schools for North Carolina, by the Hon. Frederick Nash, of Hillsborough. Third Lecture, on the Custom of exciting emulation in Literary Institutions by reward or punishment, by Walker Anderson, Esq. of Hillsborough.

Programme for the meeting in 1883.

It is hoped and presumed, that the friends of Education generally, will attend and unite in supporting a cause of such vital importance to the State.

By order of the Executive Committee,

WALTER A. NORWOOD,

May 22.

Recording Secretary.

—*In Raleigh Register, May 28, 1883.*

Our University.—Another overflowing Commencement furnishes evidence both that a new spirit is awakening in favor of the University, and that the Addresses annually delivered, by the distinguished gentlemen who accept the appointments and invitations of the Literary Societies and of the Institute of Education, have an attraction which it was not foreseen would attach to them. The houses of the village were thronged and crowded until they would hold no more. * * Among the visitors, were Gov. Swain, and Ex-Governors, Owen, Iredell and Branch.

We learn, through the kindness of a friend that on Wednesday, George E. Badger, Esq. led the way in the ex-

ercises of the occasion, in an address before the two Literary Societies. * *

The annual address
before the Institute
of education.

Joseph A. Hill, Esq. of Wilmington, followed in the annual Address to the Institute, pervaded in every part by good sense, rendered more acceptable by the wit, fancy, and facility and elegance of language which accompanied and embellished it. He described with much effect his own sufferings, when an unlucky boy, he was some years ago a member of the Preparatory School at Chapel Hill, and whilst he pleaded for a more sparing use of the rod on the part of the pedagogue, refuted his doctrines by his own example—proving by the copiousness of his classical allusions and the number and the appropriateness of his quotations, that no one of the scourgings to which he alluded had been bestowed in vain.

Other addresses.

A Lecture on Lyceums, by James D. Johnson, Esq. gave evidence of extensive reading and research in relation to this subject; and presented an ample array of well selected facts, to which the inhabitants of many small villages that are scattered over the surface of North Carolina would do well to give especial heed.

The exercises of the day were closed by Walker Anderson, Esq. who stated the results of his own experience in the education of Females, and laid down certain just principles respecting the difference that obtains between the two sexes, in regard to the propriety of applying to them the stimulus of emulation as an incentive to exertion. * *

—*In Raleigh Register, July 2, 1833.*

To the Members and Friends of the North Carolina Institute of Education.

Members of the
Institution of Edu-
cation asked to
pay their dues.

The Funds of the Institute having been exhausted by the Publications of the last year, it is particularly requested, that those indebted for a year's Subscription will forward the amount as soon as possible, postpaid, to the Subscriber at Chapel Hill. The number of members not

being sufficient to defray the expenses of the publications of the present year, any persons friendly to the objects of the Institute, would aid those objects by becoming members, which they can do by forwarding to the Treasurer an annual contribution of *One Dollar*.

By order of the Executive Committee,

WALTER A. NORWOOD, Treas.

August 18, 1833.

—*In Raleigh Register, Aug. 20, 1833.*

We are indebted to the publisher, Mr. Patridge, for a copy of the Address of Joseph A. Hill, Esq. delivered, at Chapel Hill, before the North Carolina Institute of Education, in June last. This able address comes to us in quite an acceptable form, making a pamphlet of 16 pages octavo, very neatly printed. The publisher will please accept our thanks for the present. We should gladly present it to our readers forthwith, were it not for the press of important public documents, which have paramount claims upon our columns.¹

Mr. Hill's address published.

—*In Raleigh Star, Feb. 20, 1834.*

¹ With this reference to the affairs of the Institute of Education, it disappears from the newspapers.

9. PLAN OF SCHOOLS BY "PEOPLE'S FRIEND."

Messrs. Editors;

No school system
yet proposed suited
to this state.

There are certain subjects which many readers pass over without even a hasty perusal, because they feel no interest in them or suppose, that under existing circumstances, they are wholly impracticable, or believe they already understand them sufficiently well. I have some apprehensions, that the subject of the following Communication is one of this character. Its originality, in connexion with its great and acknowledged importance, will, I hope attract the attention of intelligent and reflecting men, and secure for it a careful examination. My object is the establishment of Schools throughout North Carolina. Several of our Late Governors have in their Annual Messages to our Legislature, expatiated at considerable length, on this fruitful and popular topic. Nor has it escaped the vigilance of several of our eminent private citizens. But so far as I now recollect, all the Communications which I have seen in our papers on the subject, though the productions of enlightened and zealous friends, have been deficient in one important particular—they have not been fully adapted to the peculiarity of our circumstances.

We must organize
a plan of our own.

The system of Education which has been for some time in so successful operation in New York, Massachusetts, and some other States, is not I apprehend, suited to North Carolina. It is, therefore, the part of sound wisdom, and of enlightened policy, not to follow in the steps of our neighbors, however we may admire their example; but make for ourselves a new road, in other words, originate a plan of Education adapted to our peculiar circumstances. And if our system should not be as imposing and as splendid as that of our neighbors, but should in the end lead to the same desirable result, the general diffusion of learning among the people, we ought to possess sufficient independence and magnanimity to carry our own views into

full effect. In the sincerity of my heart, I believe the time is far distant, when good schools on the common plan and in sufficient numbers will be supported throughout our whole State, either by the public revenues or by private patronage, or by both these united. Still I do not consider our case as hopeless. Very far from it. I regard the present time as decidedly more propitious to a general and successful movement in favor of education, than any which has occurred since the adoption of our Constitution, if not since the earliest settlement of this State. I may be singular in my opinion, but permit me to offer some reasons for it.

Good common schools far distant.

In the first place, a great variety of causes which I need not specify, have for a long time, been operating to make a deep impression on reflecting men, who cherish a warm attachment to their native State, and who feel much solicitude for its prosperity and future welfare; that there is urgent necessity for the adoption of some general and efficient system of education. A great many persons of this description, in different sections of our State, are, I believe, ready to co-operate cordially in the general establishment of schools on a plan, practicable, thorough, and attended with moderate expense.—Show them a plan, which unites all these desirable qualities; and you will secure at once their cheerful and liberal assistance.

Many believe time has come to adopt some system.

In the second place, the uneducated & poorer class of our people, have recently had their attention, incidentally indeed yet impressively and powerfully, directed to the subject of education. An impression very general if not co-extensive with our boundaries, has been made on a large proportion of our community, in favor of the subject under consideration. To “the Bible effort” which has been in progress nearly two years, we are indebted for this propitious circumstance. The distribution of thirty or forty thousand copies of the Holy Scriptures among our destitute families, and often where not even a Spelling book, or an Almanac was ever seen, has, I believe, under

Distribution of Bibles to the poor incited them to desire to learn to read.

these disadvantages, excited in a great many instances, an earnest desire to become acquainted with their contents. And this desire will cause many of them to hail with lively joy the establishment of Schools for their children; that their offspring may obtain ready access to that volume, which though it contains intelligence more valuable than a globe of gold, is nevertheless at present to them "A sealed Book." I readily admit, that this is not the great object for which the friends of the Bible have been putting forth their vigorous and persevering exertions; but it has, I believe, been the necessary consequence of their successful efforts to spread the word of life over our land in all its length and breadth, and whilst every benevolent mind and every friend of learning and of Christianity must be much gratified with this happy result, it is highly important that we should avail ourselves of our present advantages to urge forward with increasing confidence and zeal, the cause of moral and intellectual improvement.

Plan to have a teacher take charge of as many schools as will support him; each school to be open on certain days.

I now proceed to state, in few words, the outlines of a plan, which appears to me, to be better adapted to our circumstances than any which has come to my knowledge. Its peculiarity is the division of a Teacher's labors among two or more Schools, according to the ability of his employers. I would engage none but well qualified Teachers, of good character and of experience, and provide a satisfactory remuneration for their services. Then if one neighborhood could sustain such a Teacher, let him take charge of only one School. If it would require two neighborhoods to support him, let him have the care of two Schools; and devote three days in a week to each of them. If it would require three neighborhoods to support him, let him have the charge of three Schools, and spend two days in a week in each of them, and if in some thinly settled and mountainous sections of the State, a still greater number of Schools would be necessary to sustain a good teacher, let him have the charge of five or six Schools, and devote only one day in a week to each of them.

I infer with certainty, that all the children in North-Carolina, could in this way obtain a knowledge of the fundamental branches of Education; for in Sabbath Schools, a great number of children, and youth, and adults, have been educated, who never enjoyed any other literary advantages. This fact is itself a practical demonstration, that the plan which I have proposed, if generally adopted would be of incalculable advantage, to the interests of learning in our State. This plan would be economical. In the schools taught only one day in the week, the price of instruction would probably not exceed 50 cents per scholar per quarter, and in the other Schools, in the same proportion; it would moreover, be very convenient for those parents, who often, and especially during the busy seasons of the year, need the services of their children. Besides, Parents, it is believed, would make greater exertions to send their children the distance of two or three miles to school, a part of the time, than they would to send them daily.

Sunday Schools have taught many to read.

Schools might be open one day in the week; tuition cheap.

In conclusion, I inquire is not my theory apparently so well adapted to our peculiar circumstances, and of so much promise, as to be worthy of being fairly tested? This could easily be done, if some person of public spirit, of influence and wealth, would embark in this enterprise, and establish a few schools in his neighborhood. In this case he should spare no pains to procure competent teachers, to prepare convenient School-houses, to provide all necessary books, and make a thorough experiment. The result might justly enrol his name among the most distinguished benefactors of his country.

Plan could be tested.

—THE PEOPLE'S FRIEND.

P. S. Since the above article was written, I have been informed that a respectable Teacher, in an adjacent county, has commenced the instruction of two schools. He spends three days a week, in each school.

An example of the plan.

—*Raleigh Register, Thursday, May 12, 1831.*

10. DEAF AND DUMB ASYLUM.

Recalls society
organized in 1827.

Deaf and Dumb Asylum.—We could not withhold last week, the expression of our astonishment, in announcing the fact, that there are in this State, *fourteen hundred and fifty six persons* bereaved of those prime blessings of nature, hearing and speaking, and the more we reflect on it, the greater is our surprise. It will be borne in mind, that during the Legislature of 1827, a Society was organized for the purpose of establishing in North Carolina, an institution for the instruction of Deaf and Dumb persons. A constitution was adopted and signed and several pertinent and feeling addresses were made on the occasion—one, we particularly recollect, delivered by Dr. Caldwell, elicited great approbation. An Act also passed the Legislature, the same session, incorporating the said Society, and a respectful Memorial was addressed to Congress, praying for a like donation of land as has been granted to similar Institutions in other States. This Memorial was acted upon by Congress, and a bill subsequently passed one branch of that body, for carrying into effect the wishes of the Society, but owing to the want of time, the House of Representatives did not act upon it. If it be still amongst the unfinished business we hope our Representatives will ferret it out and use their exertions to have it passed, for the late examination shows, that we have need of such an Institution, in an eminent degree¹.

Congress did not
give aid asked.

—*Raleigh Register, Thursday, Feb. 3, 1831.*

¹ The editor corrects his statement as to the number of deaf and dumb children in the next issue of his paper.

Statistics Deaf and Dumb.—The following statistics are from the Census of 1830:—

	White.	Negroes.	Total.
Deaf and Dumb—Under 14 years...	69	25	94
Of 14 and under 25	65	27	92
Of 25 and upwards	60	27	87
	—	—	—
	194	79	273
Blind	215	157	372

—*From Raleigh Register, Feb. 10, 1831.*

[This is printed to correct former statement which was an error.
See editorial, Register, February 10, 1831]

11. NECESSITY FOR SCHOOLS.

People should consider every candidate opposed to schools an enemy of the people.

What other states are doing.

Common Schools.—The necessity for establishing Common Schools in every section of our country ought to be sounded in the ears of the rulers of the States, and of the Union, until this great duty of providing for the general instruction of the people is more faithfully regarded.—Let this be the test word, by which the people try every candidate for office: is he friendly to free schools; to popular education? If not, he should be marked as an enemy to the people; to their rights as free-men; as anti-republican in his principles, and unworthy of the confidence of those for whose benefit this Government was instituted. The example of New-York merits the applause of the Republic. Massachusetts supports her schools on a different plan: the spirit of education in that State is unbounded, & her seminaries of learning are not excelled by those of any State. Connecticut has distinguished herself in the same laudable career. Other States are awaking, to be blest by the light, and freedom, and general improvement of the age. Plutarch tells us that “Caesar could boast that he had slain a million of men, given a million their liberty, and made a million prisoners.” In giving a million their liberty, there was something of true glory. But in assisting the many millions in this Republic to appreciate, enjoy and perpetuate their liberty, a glory still more exalted may be achieved. This is a work of moral, as well as political grandeur, that will endure and be admired when the monuments of conquest by force, shall be swept from the world.

—*Raleigh Register, Thursday, Sept. 22, 1831.*

12. LOTTERY FOR PUBLICATION OF A NORTH CAROLINA HISTORY REFUSED.

To the Honourable the General Assembly of the State of North Carolina: The Memorial of Archibald D. Murphey of Orange County. Respectfully sheweth,

That he has heretofore represented to the General Assembly that he has been for several years engaged in collecting materials for a correct history of North Carolina and that he was unable to complete the work, without liberal pecuniary aid. The General Assembly upon this representation passed an act authorizing him to raise by way of lottery the sum of fifteen thousand dollars, but restricted him to three drawings. This restriction and the smallness of the sum authorized to be raised put it out of his power to dispose of the Lottery. A subsequent act was passed authorizing the president and directors of the Literary Fund to raise by way of lottery the sum of fifty thousand dollars, and to pay over to your Memorialist one-half thereof but no steps have been taken to carry this act into effect. The labours of your Memorialist have been suspended for several years past, by reason of severe rheumatism with which he was afflicted. Being at length relieved in a great degree from this painful disease, he is once more prosecuting the work, and he now solicits from the General Assembly that pecuniary aid without which no man of reasonable fortune can compile a History of North Carolina. The materials for our Colonial history are deposited in the public offices in England, and among the early records of the States of Virginia, South Carolina and Georgia: And your Memorialist entertained a hope, after the British Government, had upon the application of the General Assembly consented that copies might be taken of all the documents and papers relating to our Colonial history to be found in their public offices and after having made out an index of all these documents and papers and

Former lotteries failed.

work on history interrupted by sickness.

Undertaking must be aided by the state to succeed.

London records to be secured.

Documents to be
state property.

Asks \$50,000 by
lottery.

delivered the same to our Ambassador in London for the information and use of your Honourable body that you would have obtained copies at the expense of the State. since the index has been received nothing further has been done on the subject; and your Memorialist has concluded that the General Assembly will not procure such copies. If sufficient aid be given to your Memorialist, he himself will proceed to London, or send an agent of Intelligence to procure copies of the papers and documents aforesaid; and after writing our Colonial history, he will present them to the General Assembly to be deposited in the Public Library. They will fill up many large volumes in manuscript. He will at the same time present to the General Assembly several volumes in manuscript containing copies of such documents and papers relating to our history as he shall have been able to collect in this Country. It is believed that the documents to be obtained from England, and those which have been and will be collected in this country will fill more than twenty folio volumes. Your Memorialist can not set forth with any precision, what it will cost to make his collection; but it is certain that it will cost a large sum. He asks for no appropriation from the Treasury. It will, he hopes, answer his purposes, to be authorized to raise a sufficient sum by way of Lottery. And it being a matter of perfect indifference with the General Assembly, whether he be authorized to raise fifty or twenty thousand dollars. He prays that an act might be passed, authorizing him to raise the former sum. Such an act will probably enable him through some of the Brokers in the Northern States to raise fifteen or twenty thousand dollars. And he prays that he may not be restricted in the number of drawings: Such a restriction will under the act, be of no avail to him.

He further prays that he may have access to the papers and documents in the public offices in this City; and that he be permitted to take copies of such as he may require: and for this purpose to withdraw from the public offices

such papers and documents upon his signing a receipt for, and promising to return the same.—And your Memorialist will ever pray.

A. D. MURPHEY.

Nov. 29, 1831.

A Bill to encourage the publication of a History of North Carolina.

Whereas it is represented to this General Assembly that Lottery bill. Archibald D. Murphey of Orange County is engaged in compiling a History of North Carolina, and that he cannot complete the work without liberal pecuniary aid: Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the said Archibald D. Murphey be and he is hereby authorized to raise by way of Lottery a sum not exceeding fifty thousand dollars to enable him to prosecute and complete said work. And that he shall have access to the public documents of the State with liberty to take copies of such of them as he may require; and for this purpose to withdraw for a short time from the public offices said documents upon his signing a receipt for the same.

The Committee to whom was referred the Memorial of Archibald D. Murphey, praying for the enactment of a law, and authorizing him to raise by way of Lottery the sum of fifty thousand dollars, have considered the same and Unfavorable report of the committee.

REPORT,

That however anxious they are to see a correct History of North Carolina, yet a failure of a similar attempt made by the petitioners, not many years since, connected with the system of hazard, contemplated in the Memorial, upon the morality of the community, induces your Committee to return the Bill and Memorial to the House and recommend its rejection.

Respectfully submitted, THOS. G. POLK, *Chm.*

—*Unpublished Legislative Documents, 1831.*



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